

By: Hamilton

To: Fees, Salaries and Administration

SENATE BILL NO. 2358

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE FOR THE DISTRIBUTION OF A SET OF THE MISSISSIPPI CODE OF  
3 1972 TO EACH COUNTY TAX COLLECTOR; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 1-1-11, Mississippi Code of 1972, is  
6 amended as follows:[JMR1]

7 1-1-11. (1) Except as provided in subsection (2) of this  
8 section, the Joint Committee on Compilation, Revision and  
9 Publication of Legislation shall distribute or provide for the  
10 distribution of the sets of the compilation of the Mississippi  
11 Code of 1972 purchased by the state as follows:

12 Fifty-six (56) sets to the Mississippi House of  
13 Representatives and forty (40) sets to the Mississippi Senate for  
14 the use of the Legislative Reference Bureau, Legislative Services  
15 Offices, staffs and committees thereof.

16 Ten (10) sets to the Governor's Office; nine (9) sets to the  
17 Secretary of State; and twenty (20) sets to the Auditor's Office.

18 One (1) set to each of the following: the Lieutenant  
19 Governor; each member of the Legislature; the Treasurer; each  
20 district attorney; each county attorney; each judge of the Court  
21 of Appeals and each judge of the Supreme, circuit, chancery,

22 county, family, justice and municipal courts; each Mississippi  
23 Senator and Mississippi Representative in Congress; State  
24 Superintendent of Education; Director of the Department of Finance  
25 and Administration; six (6) sets to the Performance Evaluation and  
26 Expenditure Review (PEER) Committee, two (2) sets to the Director  
27 of the Legislative Budget Office; the Commissioner of Agriculture  
28 and Commerce; each Mississippi Transportation Commissioner; six  
29 (6) sets to the Department of Corrections; the Insurance  
30 Commissioner; the Clerk of the Supreme Court; the State Board of  
31 Health; each circuit clerk; each chancery clerk in the state for  
32 the use of the chancery clerk and the board of supervisors; each  
33 sheriff in the state for the use of his office and the county  
34 officers; each county tax collector; and each county for the  
35 county library (an additional set for each of the last three (3)  
36 to be given in counties having two (2) judicial districts).

37 Two (2) sets to the Department of Archives and History; two  
38 (2) sets to the State Soil and Water Conservation Commission;  
39 sixty-eight (68) sets to the Attorney General's Office; six (6)  
40 sets to the Public Service Commission; four (4) sets to the Public  
41 Utilities Staff; thirty-six (36) sets to the State Tax Commission;  
42 two (2) sets to the State Personnel Board; six (6) sets to the  
43 State Law Library; one (1) set to the Library of Congress; ten  
44 (10) sets to the University of Mississippi Law School; one (1) set  
45 each to the Mississippi School for the Deaf and the Mississippi  
46 School for the Blind; one (1) set each to the University of  
47 Mississippi, Mississippi State University, Mississippi University  
48 for Women, University of Southern Mississippi, Delta State  
49 University, Alcorn State University, Jackson State University,  
50 Mississippi Valley State University, and the Board of Trustees of  
51 State Institutions of Higher Learning; and one (1) set to the  
52 Supreme Court judges' conference room. In furtherance of the

53 State Library's reciprocal program of code exchange with libraries  
54 of the several states, the joint committee shall, at the direction  
55 and only upon the written request of the State Librarian,  
56 distribute or provide for the distribution of sets of the code to  
57 such libraries.

58 One (1) set to each state junior or community college; three  
59 (3) sets to the Department of Wildlife, Fisheries and Parks; two  
60 (2) sets to the Department of Environmental Quality; two (2) sets  
61 to the Department of Marine Resources; four (4) sets to the State  
62 Department of Rehabilitation Services; and seven (7) sets to the  
63 Department of Human Services. One (1) set to each of the  
64 following: State Textbook Procurement Commission; University  
65 Medical Center; State Library Commission; Department of  
66 Agriculture and Commerce; Forestry Commission; and seventeen (17)  
67 sets to the Department of Public Safety. Also, one (1) set to  
68 each of the following: Adjutant General, Department of Economic  
69 and Community Development, Department of Banking and Consumer  
70 Finance, Bureau of Building, Grounds and Real Property Management,  
71 the State Educational Finance Commission, the Mississippi Board of  
72 Vocational and Technical Education, Division of Medicaid, State  
73 Board of Mental Health, and Department of Youth Services.

74 The joint committee is authorized to distribute or provide  
75 for the distribution of additional sets of the Mississippi Code,  
76 not to exceed three (3) sets, to the office of each district  
77 attorney for the use of his assistants.

78 The joint committee shall provide to the Mississippi House of  
79 Representatives and the Mississippi Senate the annual supplements  
80 to the Mississippi Code of 1972 for each set of the code

81 maintained by the House and Senate.

82 The set of the Mississippi Code of 1972 to be provided to  
83 each member of the Legislature shall be provided unless  
84 specifically waived by such legislator in writing.

85 An elected or appointed officeholder in the State of  
86 Mississippi, except for a member of the Legislature, shall deliver  
87 to his successor in office, or to the joint committee if there is  
88 no successor, the set of the Mississippi Code of 1972 provided the  
89 officeholder under this section.

90 Before the joint committee delivers or provides for delivery  
91 of a copy of the Mississippi Code of 1972 to an individual  
92 officeholder, the joint committee shall prepare and submit a  
93 written agreement to the officeholder. The agreement shall, among  
94 other provisions, state that the code is the property of the State  
95 of Mississippi, that it shall be transferred to the officeholder's  
96 successor in office, that the officeholder has an obligation to  
97 make such transfer and that the officeholder shall be responsible  
98 for the failure to deliver the code and for any damage or  
99 destruction to the code, normal wear and tear excepted. The joint  
100 committee shall execute the agreement and forward it to the  
101 officeholder for execution. The joint committee shall not deliver  
102 or provide for delivery of the code to the officeholder until the  
103 executed agreement is received by the committee. The joint  
104 committee may include in the agreement such other provisions as it  
105 may deem reasonable and necessary. In addition to damages or any  
106 other remedy for not transferring a set of the code to his  
107 successor, an officeholder who does not transfer his set of the  
108 code shall be guilty of a misdemeanor and shall, upon conviction,

109 pay a fine of One Thousand Dollars (\$1,000.00). Upon request of  
110 the joint committee, the Attorney General shall assist the joint  
111 committee in taking such actions as necessary to require an  
112 officeholder to transfer the set of code provided under this  
113 section to his successor, or to the joint committee if there is no  
114 successor, and to recover reimbursement or damages from any  
115 officeholder for the loss of or damage or destruction to any  
116 volumes of the set of the code provided under this section, other  
117 than normal wear and tear.

118 Replacement of missing, damaged or destroyed sets or volumes  
119 of the code provided by this chapter may be obtained from the code  
120 publisher through the joint committee at the established state  
121 cost, the cost to be borne by the recipient.

122 No more than one (1) set of the Mississippi Code of 1972  
123 shall be furnished to any one (1) individual, regardless of the  
124 office or offices he may hold.

125 (2) The joint committee, in its discretion, may determine  
126 whether electronic access to the Mississippi Code of 1972 is  
127 available and a sufficient substitute for actual bound volumes of  
128 the code and, if so, may omit furnishing any one or more sets  
129 otherwise required by this section.

130 SECTION 2. This act shall take effect and be in force from  
131 and after July 1, 2000.