

By: Senator(s) Dearing

To: Appropriations

SENATE BILL NO. 2261

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE OFFICE OF THE SUPERINTENDENT OF EACH PUBLIC
3 SCHOOL DISTRICT AND THE SCHOOL BOARD ATTORNEY OF EACH PUBLIC
4 SCHOOL DISTRICT SHALL BE PROVIDED A SET OF THE MISSISSIPPI CODE;
5 AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 1-1-11, Mississippi Code of 1972, is
8 amended as follows:

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

14 Fifty-seven (57) sets to the Mississippi House of
15 Representatives and forty (40) sets to the Mississippi Senate for
16 the use of the Legislative Reference Bureau, Legislative Services
17 Offices, staffs and committees thereof.

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

20 One (1) set to each of the following: the Lieutenant
21 Governor; each member of the Legislature; the Treasurer; each
22 district attorney; each county attorney; each judge of the Court
23 of Appeals and each judge of the Supreme, circuit, chancery,
24 county, family, justice and municipal courts; each Mississippi
25 Senator and Mississippi Representative in Congress; State
26 Superintendent of Education; the office of the superintendent of
27 schools of each public school district; the school board attorney
28 of each public school district; Director of the Department of



29 Finance and Administration; six (6) sets to the Performance
30 Evaluation and Expenditure Review (PEER) Committee, two (2) sets
31 to the Director of the Legislative Budget Office; the Commissioner
32 of Agriculture and Commerce; each Mississippi Transportation
33 Commissioner; six (6) sets to the Department of Corrections; the
34 Insurance Commissioner; the Clerk of the Supreme Court; the State
35 Board of Health; each circuit clerk; each chancery clerk in the
36 state for the use of the chancery clerk and the board of
37 supervisors; each sheriff in the state for the use of his office
38 and the county officers; and each county for the county library
39 (and an additional set shall be given to each circuit clerk,
40 chancery clerk, sheriff and county library in counties having two
41 (2) judicial districts).

42 Two (2) sets to the Department of Archives and History; two
43 (2) sets to the State Soil and Water Conservation Commission;
44 sixty-eight (68) sets to the Attorney General's Office; six (6)
45 sets to the Public Service Commission; four (4) sets to the Public
46 Utilities Staff; thirty-six (36) sets to the State Tax Commission;
47 two (2) sets to the State Personnel Board; six (6) sets to the
48 State Law Library; one (1) set to the Library of Congress; ten
49 (10) sets to the University of Mississippi Law School; one (1) set
50 each to the Mississippi School for the Deaf and the Mississippi
51 School for the Blind; one (1) set each to the University of
52 Mississippi, Mississippi State University, Mississippi University
53 for Women, University of Southern Mississippi, Delta State
54 University, Alcorn State University, Jackson State University,
55 Mississippi Valley State University, and the Board of Trustees of
56 State Institutions of Higher Learning; and one (1) set to the
57 Supreme Court judges' conference room. In furtherance of the
58 State Library's reciprocal program of code exchange with libraries
59 of the several states, the joint committee shall, at the direction
60 and only upon the written request of the State Librarian,



61 distribute or provide for the distribution of sets of the code to
62 such libraries.

63 One (1) set to each state junior or community college; three
64 (3) sets to the Department of Wildlife, Fisheries and Parks; two
65 (2) sets to the Department of Environmental Quality; two (2) sets
66 to the Department of Marine Resources; two (2) sets to the
67 Mississippi Ethics Commission; six (6) sets to the Mississippi
68 Workers' Compensation Commission; four (4) sets to the State
69 Department of Rehabilitation Services; and seven (7) sets to the
70 Department of Human Services. One (1) set to each of the
71 following: State Textbook Procurement Commission; University
72 Medical Center; State Library Commission; Department of
73 Agriculture and Commerce; Forestry Commission; and seventeen (17)
74 sets to the Department of Public Safety. Also, one (1) set to
75 each of the following: Adjutant General, Department of Economic
76 and Community Development, Department of Banking and Consumer
77 Finance, Bureau of Building, Grounds and Real Property Management,
78 the State Educational Finance Commission, the Mississippi Board of
79 Vocational and Technical Education, Division of Medicaid, State
80 Board of Mental Health, and Department of Youth Services.

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

85 The joint committee shall provide to the Mississippi House of
86 Representatives and the Mississippi Senate the annual supplements
87 to the Mississippi Code of 1972 for each set of the code
88 maintained by the House and Senate.

89 The set of the Mississippi Code of 1972 to be provided to
90 each member of the Legislature shall be provided unless
91 specifically waived by such legislator in writing.

92 An elected or appointed officeholder in the State of
93 Mississippi, except for a member of the Legislature, shall deliver



94 to his successor in office, or to the joint committee if there is
95 no successor, the set of the Mississippi Code of 1972 provided the
96 officeholder under this section.

97 Before the joint committee delivers or provides for delivery
98 of a copy of the Mississippi Code of 1972 to an individual
99 officeholder, the joint committee shall prepare and submit a
100 written agreement to the officeholder. The agreement shall, among
101 other provisions, state that the code is the property of the State
102 of Mississippi, that it shall be transferred to the officeholder's
103 successor in office, that the officeholder has an obligation to
104 make such transfer and that the officeholder shall be responsible
105 for the failure to deliver the code and for any damage or
106 destruction to the code, normal wear and tear excepted. The joint
107 committee shall execute the agreement and forward it to the
108 officeholder for execution. The joint committee shall not deliver
109 or provide for delivery of the code to the officeholder until the
110 executed agreement is received by the committee. The joint
111 committee may include in the agreement such other provisions as it
112 may deem reasonable and necessary. In addition to damages or any
113 other remedy for not transferring a set of the code to his
114 successor, an officeholder who does not transfer his set of the
115 code shall be guilty of a misdemeanor and shall, upon conviction,
116 pay a fine of One Thousand Dollars (\$1,000.00). Upon request of
117 the joint committee, the Attorney General shall assist the joint
118 committee in taking such actions as necessary to require an
119 officeholder to transfer the set of code provided under this
120 section to his successor, or to the joint committee if there is no
121 successor, and to recover reimbursement or damages from any
122 officeholder for the loss of or damage or destruction to any
123 volumes of the set of the code provided under this section, other
124 than normal wear and tear.

125 Replacement of missing, damaged or destroyed sets or volumes
126 of the code provided by this chapter may be obtained from the code



127 publisher through the joint committee at the established state
128 cost, the cost to be borne by the recipient.

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

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

137 SECTION 2. This act shall take effect and be in force from
138 and after July 1, 2001.

