MISSISSIPPI LEGISLATURE  

REGULAR SESSION 2002  

By: Representative Smith (39th)  

To: Appropriations  

HOUSE BILL NO. 124  

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE SETS OF THE MISSISSIPPI CODE OF 1972 TO THE PARALEGAL  
3 PROGRAMS AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI AND MISSISSIPPI  
4 UNIVERSITY FOR WOMEN; AND FOR RELATED PURPOSES.  

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

SECTION 1. Section 1-1-11, Mississippi Code of 1972, is  

amended as follows:  

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

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

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

One (1) set to each of the following: the Lieutenant  
Governor; each member of the Legislature; the Treasurer; each  
district attorney; each county attorney; each judge of the Court  
of Appeals and each judge of the Supreme, circuit, chancery,  
county, family, justice and municipal courts; each Mississippi  
Senator and Mississippi Representative in Congress; State  
Superintendent of Education; Director of the Department of Finance  
and Administration; six (6) sets to the Performance Evaluation and  
Expenditure Review (PEER) Committee, two (2) sets to the Director  
of the Legislative Budget Office; the Commissioner of Agriculture
and Commerce; each Mississippi Transportation Commissioner; six
(6) sets to the Department of Corrections; the Insurance
Commissioner; the Clerk of the Supreme Court; the State Board of
Health; each circuit clerk; each chancery clerk in the state for
the use of the chancery clerk and the board of supervisors; each
sheriff in the state for the use of his office and the county
officers; and each county for the county library (and an
additional set shall be given to each circuit clerk, chancery
clerk, sheriff and county library in counties having two (2)
judicial districts).

Two (2) sets to the Department of Archives and History; two
(2) sets to the State Soil and Water Conservation Commission;
sixty-eight (68) sets to the Attorney General's Office; six (6)
sets to the Public Service Commission; four (4) sets to the Public
Utilities Staff; thirty-six (36) sets to the State Tax Commission;
two (2) sets to the State Personnel Board; six (6) sets to the
State Law Library; one (1) set to the Library of Congress; ten
(10) sets to the University of Mississippi Law School; one (1) set
each to the paralegal programs at the University of Southern
Mississippi and Mississippi University for Women; one (1) set each
to the Mississippi School for the Deaf and the Mississippi School
for the Blind; one (1) set each to the University of Mississippi,
Mississippi State University, Mississippi University for Women,
University of Southern Mississippi, Delta State University, Alcorn
State University, Jackson State University, Mississippi Valley
State University, and the Board of Trustees of State Institutions
of Higher Learning; and one (1) set to the Supreme Court judges'
conference room. In furtherance of the State Library's reciprocal
program of code exchange with libraries of the several states, the
joint committee shall, at the direction and only upon the written
request of the State Librarian, distribute or provide for the
distribution of sets of the code to such libraries.
One (1) set to each state junior or community college; three (3) sets to the Department of Wildlife, Fisheries and Parks; two (2) sets to the Department of Environmental Quality; two (2) sets to the Department of Marine Resources; two (2) sets to the Mississippi Ethics Commission; six (6) sets to the Mississippi Workers' Compensation Commission; four (4) sets to the State Department of Rehabilitation Services; and seven (7) sets to the Department of Human Services. One (1) set to each of the following: State Textbook Procurement Commission; University Medical Center; State Library Commission; Department of Agriculture and Commerce; Forestry Commission; and seventeen (17) sets to the Department of Public Safety. Also, one (1) set to each of the following: Adjutant General, Department of Economic and Community Development, Department of Banking and Consumer Finance, Bureau of Building, Grounds and Real Property Management, the State Educational Finance Commission, the Mississippi Board of Vocational and Technical Education, Division of Medicaid, State Board of Mental Health, and Department of Youth Services.

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

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

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

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

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

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

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

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

SECTION 2. This act shall take effect and be in force from and after July 1, 2002.