

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

House Bill NO. 1111

By Senator(s) Committee

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

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

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

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

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

28 and Administration; six (6) sets to the Performance Evaluation and
29 Expenditure Review (PEER) Committee, three (3) sets to the
30 Director of the Legislative Budget Office; the Commissioner of
31 Agriculture and Commerce; each Mississippi Transportation
32 Commissioner; six (6) sets to the Department of Corrections; the
33 Insurance Commissioner; the Clerk of the Supreme Court; the State
34 Board of Health; each circuit clerk; each chancery clerk in the
35 state for the use of the chancery clerk and the board of
36 supervisors; each sheriff in the state for the use of his office
37 and the county officers; and each county for the county library
38 (and an additional set shall be given to each circuit clerk,
39 chancery clerk, sheriff and county library in counties having two
40 (2) judicial districts).

41 The joint committee is authorized to provide for the
42 distribution of one (1) set to the office of the superintendent of
43 schools of each public school district, to be provided on a
44 phased-in basis with forty (40) additional sets to be made
45 available annually until all superintendents are provided sets of
46 the code.

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

63 State Library's reciprocal program of code exchange with libraries
64 of the several states, the joint committee shall, at the direction
65 and only upon the written request of the State Librarian,
66 distribute or provide for the distribution of sets of the code to
67 such libraries.

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

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

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

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

97 An elected or appointed officeholder in the State of

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

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

130 Replacement of missing, damaged or destroyed sets or volumes
131 of the code provided by this chapter may be obtained from the code
132 publisher through the joint committee at the established state

133 cost, the cost to be borne by the recipient.

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

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

142 **SECTION 2.** This act shall take effect and be in force from
143 and after July 1, 2003.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE ONE ADDITIONAL SET OF THE MISSISSIPPI CODE TO THE
3 LEGISLATIVE BUDGET OFFICE; TO PROVIDE THAT THE OFFICE OF THE
4 SUPERINTENDENT OF EACH PUBLIC SCHOOL DISTRICT SHALL BE PROVIDED A
5 SET OF THE MISSISSIPPI CODE FOR ON A PHASED-IN BASIS; AND FOR
6 RELATED PURPOSES.