

By: Representative Moak

To: Appropriations

## HOUSE BILL NO. 269

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 SHALL BE PROVIDED A SET OF THE MISSISSIPPI CODE;  
4 AND FOR RELATED PURPOSES.

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

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

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

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

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

19 One (1) set to each of the following: the Lieutenant  
20 Governor; each member of the Legislature; the Treasurer; each  
21 district attorney; each county attorney; each judge of the Court  
22 of Appeals and each judge of the Supreme, circuit, chancery,  
23 county, family, justice and municipal courts; each Mississippi  
24 Senator and Mississippi Representative in Congress; State  
25 Superintendent of Education; the office of the superintendent of  
26 each public school district; Director of the Department of Finance  
27 and Administration; six (6) sets to the Performance Evaluation and  
28 Expenditure Review (PEER) Committee, three (3) sets to the

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

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

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

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

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

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

90 An elected or appointed officeholder in the State of  
91 Mississippi, except for a member of the Legislature, shall deliver  
92 to his successor in office, or to the joint committee if there is

93 no successor, the set of the Mississippi Code of 1972 provided the  
94 officeholder under this section.

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

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

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

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

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

135         **SECTION 2.** This act shall take effect and be in force from  
136 and after July 1, 2004.