

**Lost  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1463**

**BY: Committee**

1           **AMEND by inserting the following new section after line 42**  
2 **and renumbering:**

3           **SECTION \*.** Section 25-43-2.101, Mississippi Code of 1972, is  
4 amended as follows:

5           25-43-2.101. (1) Subject to the provisions of this chapter,  
6 the Secretary of State shall prescribe a uniform numbering system,  
7 form, style and transmitting format for all proposed and adopted  
8 rules caused to be published by him and, with prior approval of  
9 each respective agency involved, may edit rules for publication  
10 and codification without changing the meaning or effect of any  
11 rule.

12           (2) The Secretary of State shall cause an administrative  
13 bulletin to be published in a format and at such regular intervals  
14 as the Secretary of State shall prescribe by rule. Upon proper  
15 filing of proposed rules, the Secretary of State shall publish  
16 them in the administrative bulletin as expeditiously as possible.  
17 The administrative bulletin must contain:

18           (a) Notices of proposed rule adoption prepared so that  
19 the text of the proposed rule shows the text of any existing rule  
20 proposed to be changed and the change proposed;

21           (b) Any other notices and materials designated by law  
22 for publication therein; and

23           (c) An index to its contents by subject.

24           (3) The Secretary of State shall cause an administrative  
25 bulletin to be published in a format and at such regular intervals  
26 as the Secretary of State shall prescribe by rule. Upon proper  
27 filing of newly adopted rules, the Secretary of State shall  
28 publish them as expeditiously as possible. The administrative  
29 bulletin must contain:

30                   (a) Newly filed adopted rules prepared so that the text  
31 shows the text of any existing rule being changed and the change  
32 being made;

33                   (b) Any other notices and materials designated by law  
34 for publication therein; and

35                   (c) An index to its contents by subject.

36           (4) The Secretary of State retains the authority to reject  
37 proposed and newly adopted rules not properly filed in accordance  
38 with the Secretary of State's rules prescribing the numbering  
39 system, form, style or transmitting format for such filings. The  
40 Secretary of State shall not be empowered to reject filings for  
41 reasons of the substance or content or any proposed or newly  
42 adopted rule. The Secretary of State shall notify the agency of  
43 its rejection of a proposed or newly adopted rule as expeditiously  
44 as possible and accompany such notification with a stated reason  
45 for the rejection. A rejected filing of a proposed or newly  
46 adopted rule does not constitute filing pursuant to Section  
47 25-43-3.101 et seq. \* \* \*.

48           (5) (a) The Secretary of State shall cause an  
49 administrative code to be compiled, indexed by subject and  
50 published in a format prescribed by the Secretary of State by  
51 rule. All of the effective rules of each agency must be published  
52 and indexed in that publication. The Secretary of State shall  
53 also cause supplements to the administrative code to be published  
54 in a format and at such regular intervals as the Secretary of  
55 State shall prescribe by rule.

56           (b) The Secretary of State may contract with a  
57 reputable and competent publishing company on such terms and  
58 conditions and at such prices as may be deemed proper to digest,  
59 compile, annotate, index and publish the state agency rules and  
60 regulations.

61           (6) (a) Copyrights of the Mississippi Administrative Code,  
62 including, but not limited to, cross references, tables of cases,  
63 notes of decisions, tables of contents, indices, source notes,  
64 authority notes, numerical lists and codification guides, other  
65 than the actual text of rules or regulations, shall be taken by  
66 and in the name of the publishers of the compilation. Such  
67 publishers shall thereafter promptly assign the same to the State  
68 of Mississippi and said copyright shall be owned by the state.

69           (b) Any information appearing on the same leaf with the  
70 text of any rule or regulation may be incidentally reproduced in  
71 connection with the reproduction of such rule or regulation, if  
72 such reproduction is for private use and not for resale.

73           (7) The Secretary of State may omit from the administrative  
74 bulletin or code any proposed or filed adopted rule, the  
75 publication in hard copy of which would be unduly cumbersome,  
76 expensive or otherwise inexpedient, if:

77           (a) Knowledge of the rule is likely to be important to  
78 only a small class of persons;

79           (b) On application to the issuing agency, the proposed  
80 or adopted rule in printed or processed form is made available at  
81 no more than its cost of reproduction; and

82           (c) The administrative bulletin or code contains a  
83 notice stating in detail the specific subject matter of the  
84 omitted proposed or adopted rule and how a copy of the omitted  
85 material may be obtained.

86           (8) The administrative bulletin and administrative code with  
87 supplements must be furnished to designated officials without

88 charge and to all subscribers at a reasonable cost to be  
89 determined by the Secretary of State. Each agency shall also make  
90 available for public inspection and copying those portions of the  
91 administrative bulletin and administrative code containing all  
92 rules adopted or used by the agency in the discharge of its  
93 functions, and the index to those rules.

94 **FURTHER, AMEND the title by inserting the following after the**  
95 **semicolon on line 3:**

96 TO AMEND SECTION 25-43-2.101, MISSISSIPPI CODE OF 1972, TO PROVIDE  
97 THAT THE SECRETARY OF STATE, INSTEAD OF THE JOINT LEGISLATIVE CODE  
98 COMMITTEE, MAY CONTRACT WITH A PUBLISHING COMPANY TO COMPILE,  
99 ANNOTATE, INDEX AND PUBLISH THE STATE AGENCY RULES AND  
100 REGULATIONS;