

By: Representative Carpenter

To: Judiciary A; County  
Affairs

HOUSE BILL NO. 1214

1 AN ACT TO AMEND SECTIONS 19-7-25, 19-25-65, AND 19-7-31,  
2 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN LIEU OF PRINTED LAW  
3 BOOKS BEING MAINTAINED IN THE COURTROOMS OF COURTHOUSES, SUCH  
4 BOOKS MAY BE SOLELY MAINTAINED IN AN ELECTRONIC FORMAT; TO PROVIDE  
5 THAT IN COUNTY PUBLIC LAW LIBRAIRES, LAW BOOKS MAY BE SOLELY  
6 MAINTAINED IN AN ELECTRONIC FORMAT; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 19-7-25, Mississippi Code of 1972, is  
9 amended as follows:

10 19-7-25. (1) Except as otherwise provided in this section,  
11 the board of supervisors of each county shall provide and have  
12 placed in the courtroom of the courthouse a suitable bookcase,  
13 with doors and lock, of sufficient capacity to hold not less than  
14 two hundred (200) law books, in which the Mississippi Reports,  
15 digests thereof, statutes of the state, and other books belonging  
16 or furnished to the county, shall be kept. The board of  
17 supervisors shall purchase any volume of the reports, digests and  
18 statutes which may be lost or destroyed, and shall have bound all  
19 of such books as need to be rebound for preservation, all of which



shall be paid for out of the county treasury. Additional bookcases shall be furnished when necessary.

(2) Except as otherwise provided in this section, in addition to the board of supervisors maintaining printed books or physical books as described under subsection (1) of this section, the board of supervisors may also maintain such books in an electronic format.

(3) In lieu of the board of supervisors maintaining printed books or physical books as described under subsection (1) of this section, the board may solely maintain such books in an electronic format.

**SECTION 2.** Section 19-25-65, Mississippi Code of 1972, is amended as follows:

19-25-65. (1) (a) Except as otherwise provided in this section, the sheriff shall be the custodian of the books other than record books belonging to the county, and he shall keep the Mississippi Department Reports, census reports, statutes of the state, the "Mississippi Reports," digests, and legislative journals assigned to his county in a suitable and safe bookcase in the courtroom of the courthouse. He shall keep them well bound in leather, or stiff boards with leather back and corners, to be paid for out of the county treasury on the order of the board of supervisors, and he shall preserve them in good condition.

(b) Except as otherwise provided in this section, in addition to the sheriff maintaining printed books or physical



books as described under paragraph (a) of this subsection, on the order of the board of supervisors, such books may also be maintained in an electronic format.

(c) In lieu of the sheriff maintaining printed books or physical books as described under paragraph (a) of this subsection, on the order of the board of supervisors, such books may be solely maintained in an electronic format.

(2) The sheriff shall be fined Ten Dollars (\$10.00) by the court, either circuit or chancery, as for a contempt, for each volume belonging to the county and which has passed into his custody that shall be out of the courtroom at any term of court. He shall also receive and preserve in the same way all books of every kind, maps, charts, and other like things that may be donated to the county by the state, the United States, from individuals or other sources. He shall not permit any of the books in his keeping to be carried out of the courthouse.

(3) The sheriff shall, in case of binding or rebinding of books belonging to the county, cause the statutes of the state to be labeled "Laws of Mississippi," and the year of their enactment shall appear thereon. If the reports and digests or code are rebound, they shall be labeled as they were originally.

(4) In his settlement with the clerk of the board of supervisors for the month of December of each calendar year, the sheriff shall file with the clerk a sworn itemized statement of the volumes of the Mississippi Reports on hand in the county



library on the last business day of the month, and for all volumes missing since the settlement for the previous December the clerk shall debit the sheriff in his settlement at the rate of Four Dollars (\$4.00) for each of the missing volumes.

**SECTION 3.** Section 19-7-31, Mississippi Code of 1972, is amended as follows:

19-7-31. (1) (a) The board of supervisors of each county in the state shall have power, by an appropriate order or orders on its minutes, to establish and maintain in the county courthouse or other suitable public building adjacent or near thereto, a public county law library under such rules, regulations and supervision as it may from time to time ordain and establish, and to that end, the board may accept gifts, grants, donations or bequests of money, furniture, fixtures, books, documents, maps, plats or other property suitable for that purpose.

(b) The board of supervisors shall have power to exchange or sell duplicate volumes or sets of any such books or furniture, and in case of sale, to invest the proceeds in other suitable books or furniture. The board may also purchase or lease from time to time additional books, furniture, or equipment for the public law library.

(c) The board of supervisors may also maintain the books prescribed under this section in an electronic format.

(d) In lieu of the board of supervisors maintaining the books prescribed in this subsection in a printed or physical



95 format, the board may solely maintain such books in an electronic  
96 format.

97       (2) For the purpose of providing suitable quarters for the  
98 public law library, the board of supervisors may, in its  
99 discretion, expend such sums as may be deemed necessary or proper  
100 for that purpose, and may also employ a suitable person as  
101 librarian and pay the law librarian such salary as the board, in  
102 its discretion, may determine. The board may employ additional  
103 librarians or other employees on either a part-time or full-time  
104 basis and may pay these additional employees as the board, in its  
105 discretion, may determine. The board of supervisors, in their  
106 discretion, may contract with the county or municipal library for  
107 any staff or facilities as they deem necessary for the overall  
108 management and operation of the county law library. The board of  
109 supervisors may contract with the State Law Library for law  
110 library services that may be offered by the State Law Library.

111       (3) If the public law library is established, all books,  
112 documents, furniture and other property then belonging to the  
113 county library, as provided for in Section 19-7-25, shall be  
114 transferred to and become part of the public law library, and all  
115 books, documents and publications donated by the state to the  
116 county library shall also become a part of the public law library.  
117 In that case, Sections 19-7-25 and 19-25-65, relating to the  
118 county library, shall be superseded in that county for as long as  
119 the public law library is maintained in the county.



(4) The board of supervisors of any county that establishes a public law library, in its discretion, may levy, by way of resolution, additional court costs not exceeding Two Dollars and Fifty Cents (\$2.50) per case for each case, both civil and criminal, filed in the chancery, circuit and county courts or any of these in the county, and may levy, by way of resolution, additional court costs not exceeding One Dollar and Fifty Cents (\$1.50) per case for each case, both civil and criminal, filed in the justice courts of the county, for the support of the library authorized in the county. If the additional court costs authorized in this section are levied, the clerk or judge of those courts shall collect those costs for all cases filed in his court and forward same to the chancery clerk, who shall deposit the same in a special account in a county depository for support and maintenance of the library, and the chancery clerk shall be accountable for those funds. However, no such levy shall be made against any cause of action the purpose of which is to commit any person with mental illness, or alcoholic or narcotic addiction to any institution for custodial or medical care, and no such tax shall be collected under this subsection on any cause of action that the proper clerk handling same deems to be in its very nature charitable and in which cause the clerk has not collected his own legal fees.

(5) To accomplish the purposes of this section, the board of supervisors may enter into such arrangement or arrangements with



the county bar association of any such county as may seem  
advisable for the care and operation of the law library, and the  
board may receive and consider, from time to time, such  
recommendations as the bar association may deem appropriate  
regarding the library.

(6) The board of supervisors of each county in which there  
are two (2) judicial districts, in its discretion, may maintain a  
law library in each judicial district. In those counties the  
board, in its discretion, may pay from the county general fund or  
from the special fund authorized in this section all the costs  
authorized in this section, provided that the board shall not  
spend in each judicial district less than the amount of the  
special court costs authorized in this section and collected in  
each such district.

(7) The governing authorities of any municipality, in their  
discretion, by resolution duly adopted and entered on their  
official minutes, may levy additional court costs not exceeding  
One Dollar and Fifty Cents (\$1.50) per case for each conviction in  
the municipal court of the municipality, for the support and  
maintenance of the county law library in the county within which  
the municipality is located. The additional costs shall be  
collected by the clerk of the court, forwarded to the chancery  
clerk of the county for deposit in a special account in the county  
depository, and expended for support and maintenance of the county  
law library in the same manner and in accordance with the same



170 procedure as provided for costs similarly collected in the  
171 chancery, circuit, county and justice courts of the county.

172 (8) Funds collected under this section may also be used for  
173 electronic and technological purposes related to the law library,  
174 including, but not limited to, computers, hardware, software,  
175 internet, online subscription services, legal research tools and  
176 electronic records.

177 **SECTION 4.** This act shall take effect and be in force from  
178 and after July 1, 2025.

