

By: Ford

To: Appropriations

HOUSE BILL NO. 466
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO
2 _PROVIDE THAT THE MISSISSIPPI ETHICS COMMISSION SHALL BE PROVIDED
3 WITH TWO SETS AND THE WORKERS' COMPENSATION COMMISSION SHALL BE
4 PROVIDED WITH SIX SETS OF THE MISSISSIPPI CODE; TO INCREASE THE
5 NUMBER OF SETS OF THE CODE TO BE PROVIDED TO THE HOUSE OF
6 REPRESENTATIVES; TO CLARIFY WHICH COUNTY OFFICES WILL RECEIVE
7 ADDITIONAL SETS OF THE CODE IN COUNTIES HAVING TWO JUDICIAL
8 DISTRICTS; AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 1-1-11, Mississippi Code of 1972, is
11 amended as follows:[RF1]

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

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

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

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

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

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

64 One (1) set to each state junior or community college; three
65 (3) sets to the Department of Wildlife, Fisheries and Parks; two
66 (2) sets to the Department of Environmental Quality; two (2) sets

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

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

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

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

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

98 Before the joint committee delivers or provides for delivery
99 of a copy of the Mississippi Code of 1972 to an individual

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

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

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

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

138 SECTION 2. This act shall take effect and be in force from
139 and after July 1, 2000.