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RECALLED

March 25, 2009

**H. 3428**

Introduced by Reps. Harrell, Cooper and Ott

S. Printed 3/25/09--H.

Read the first time February 4, 2009.

**A** **BILL**

TO AMEND SECTION 2‑7‑80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PRINTING AND DISTRIBUTION OF ACTS, SO AS TO PROVIDE FOR THE MAILING OF ACTS NOT PLACED ON THE DESKS OF MEMBERS OF THE GENERAL ASSEMBLY WHEN THE MEMBER REQUESTS THE SERVICES, REQUIRE THE CLERKS OF THE GENERAL ASSEMBLY TO MAKE ALL ACTS AVAILABLE TO THE PUBLIC AFTER APPROVAL BY THE GOVERNOR, AND GENERALLY RESTRUCTURE THE DISTRIBUTION OF ACTS; TO AMEND SECTION 2‑13‑190, RELATING TO PRINTING IN SIGNATURES AND DISTRIBUTION OF PAGE PROOFS OR ADVANCE SHEETS, SO AS TO DELETE THE REQUIREMENT THAT THE CODE COMMISSIONER SEND A COPY OF EACH ADVANCE SHEET TO A DELINEATED LIST OF PERSONS, PROVIDE FOR PRINTING BY THE OFFICE OF LEGISLATIVE PRINTING, INFORMATION AND TECHNOLOGY SYSTEMS (LPITS) OF NOT MORE THAN TWENTY‑FIVE COPIES OF THE ADVANCE SHEETS AS THE CODE COMMISSIONER ORDERS, AND TO DIRECT LPITS TO PUBLISH THE ADVANCE SHEETS ONLINE AS DIRECTED BY THE CODE COMMISSIONER; TO AMEND SECTION 8‑15‑40, RELATING TO THE DELIVERY OF THE CODE AND SUPPLEMENTS TO SUCCESSORS IN OFFICE, SO AS TO ALLOW THE CODE COMMISSIONER TO DETERMINE THE VALUE OF THE SET; TO AMEND SECTION 11‑25‑640, AS AMENDED, RELATING TO PERSONS ENTITLED TO RECEIVE ACTS AND JOINT RESOLUTIONS, SO AS TO NARROW THE LIST OF THOSE PERSONS RECEIVING THE ACTS AND JOINT RESOLUTIONS; AND TO AMEND SECTION 11‑25‑650, RELATING TO DISTRIBUTION OF COPIES AND PUBLICATIONS TO THE UNIVERSITY OF SOUTH CAROLINA LAW LIBRARY, SO AS TO DECREASE THE NUMBER OF COPIES PROVIDED OF THE ACTS AND JOINT RESOLUTIONS, THE CODE, AND THE REPORTS OF THE SUPREME COURT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2‑7‑80 of the 1976 Code is amended to read:

“Section 2‑7‑80. The clerks of the two houses of the General Assembly are ~~directed to have printed~~to make available to the public all ~~statewide~~acts after their approval by the Governor~~and to place upon the desk of each member of the General Assembly~~, not later than two weeks after the approval date~~,~~. A copy of ~~such~~these acts ~~and to mail copies~~must be mailed to the house of those members of the General Assembly who request ~~such~~these services~~and,~~. After sine die adjournment each year, the clerks of the two houses of the General Assembly are directed to mail a copy of all acts not placed on the members’ desks during the session to the home address of each member of the General Assembly who requests these services. In addition, three copies must be mailed to the head of each state department and institution, to the Chief Justice and associate justices and clerk of the Supreme Court, to the Chief Judge and associate judges and clerk of the Court of Appeals, and each judge and clerk of the judicial circuits who requests these services. ~~Likewise, printed copies of local acts approved by the Governor must be furnished to the members of the legislative delegation from the county involved.~~The Secretary of State shall notify the respective clerks immediately upon receipt of all acts available to them for proofreading.~~One copy of each printed statewide act of the General Assembly must be supplied to each county clerk of court and each county governing body.~~”

SECTION 2. Section 2‑13‑190 of the 1976 Code is amended to read:

“Section 2‑13‑190. ~~Within five days~~After receiving the page proofs corrected from the Code Commissioner, the Office of Legislative Printing, Information and Technology Systems (LPITS) shall print the same and shall deliver ~~as many~~not more than twenty‑five copies to the Code Commissioner as the commissioner ~~may order~~orders. ~~The Code Commissioner on receipt of these copies shall send a copy to each of the following officers: the Governor, Supreme Court Justices, Clerk of the Supreme Court, Court of Appeals Judges, Clerk of the Court of Appeals, circuit judges, circuit solicitors, county judges, county solicitors, clerk of the court of each county, judge of probate of each county, Attorney General, Secretary of State, Comptroller General, Adjutant General, State Treasurer, Chief Bank Examiner, Department of Revenue, Secretary of the Department of Transportation, State Health Officer, Director of the Department of Natural Resources, Chairman of the Public Service Commission, Commissioner of Agriculture, Director of the Department of Insurance, State Budget and Control Board, State Superintendent of Education, State Librarian, Clerk of the House of Representatives, Clerk of the Senate, Director of the South Carolina Archives Department, and the members of the General Assembly. Any magistrate may obtain a copy of advance sheets of statutes by sending his name, address, and term to the Code Commissioner~~LPITS shall publish the advance sheets online as directed by the Code Commissioner and in accordance with applicable law. Dissemination of advance sheets to previous recipients will be accomplished by making them available online only and will not be provided in printed form.”

SECTION 3. Section 8‑15‑40 of the 1976 Code is amended to read:

“Section 8‑15‑40. ~~Any~~An officer receiving a set of the Code and its supplements~~thereto~~, upon leaving office, shall deliver to his successor in office the codes and supplements ~~thereto~~which he received as an officer. ~~Any~~An officer leaving office without turning over to his successor the sets of the codes and supplements ~~thereto~~delivered to him by virtue of his office ~~shall be~~is liable for them on his official bond. The Code Commissioner shall determine the value of ~~any such~~the set ~~is hereby fixed at twenty‑five dollars~~. The codes and supplements ~~thereto~~after distribution to ~~such~~officers ~~shall be~~are and remain the property of the State and ~~shall~~must be returned to the State Librarian by ~~any~~a person who ~~may~~is not ~~be~~authorized by law to retain them. The Attorney General shall enforce the provisions of this section and Section 8‑15‑30.”

SECTION 4. Section 11‑25‑640 of the 1976 Code, as last amended by Act 194 of 1987, is further amended to read:

“Section 11‑25‑640. Copies of the Acts and Joint Resolutions ~~shall~~must be distributed as follows:

(1) to each circuit judge, one copy;

(2) to each solicitor, one copy;

(3) to each clerk of court, one copy;

(4) to each judge of probate, one copy;

(5) ~~To each county sheriff, one copy;~~

~~(6)~~ ~~To each county auditor, one copy;~~

~~(7)~~ ~~To each county treasurer, one copy;~~

~~(8)~~ ~~To each county superintendent of education, one copy;~~

~~(9)~~ to each county ~~supervisor~~government, one copy;

~~(10)~~(6) to the Supreme Court at Columbia and to the Court of Appeals at Columbia, one copy to each court;

~~(11)~~(7) to each magistrate in the State, one copy;

~~(12)~~(8) to each master, one copy;

~~(13)~~ ~~To each professor and instructor at the law school of the University of South Carolina, one copy;~~

~~(14)~~(9) to each of the chartered colleges of the State, one copy;

~~(15)~~(10) to the ~~library of the General Assembly, one hundred and fifty copies~~Code Commissioner, the number of copies requested by the commissioner;

(11) to the clerks of the two houses of the General Assembly, the number of copies requested by each clerk;

(12) to the Attorney General of the State, one copy;

~~(16)~~(13) to the University of South Carolina, two copies;

~~(17)~~(14) to the Charleston library, two copies;

~~(18)~~ ~~To the governor of each state of the Union, for the use of the state, one copy;~~

~~(19)~~ ~~To the legislature of each state, one copy;~~

~~(20)~~ ~~To the legislative council of the province of Quebec, Canada, one copy;~~

~~(21)~~ ~~To each head of a department at Washington, for the use of his department, one copy;~~

~~(22)~~ ~~To the libraries of Harvard University, Princeton University, Yale University and the Universities of Alabama, Georgia, Gottingen, Heidelberg, North Carolina, the South and Virginia, one copy each;~~

~~(23)~~(15) to the Athenaeum, Boston, and to the Athenaeum, Philadelphia, one copy each;

~~(24)~~ ~~To the committee of public records, London, one copy;~~

~~(25)~~ ~~To the London museum, one copy;~~

~~(26)~~ ~~To the British Museum, London, W. C. 1, one copy;~~

~~(27)~~ ~~To the King’s Library, in Paris, one copy;~~

~~(28)~~ ~~To the royal library at Berlin, one copy;~~

~~(29)~~ ~~To the historical societies of South Carolina, Maryland, New York, Pennsylvania and Virginia, each one copy;~~

~~(30)~~(16) to each county attorney, one paperback copy; and

~~(31)~~ ~~To each county solicitor; and~~

~~(32)~~(17) to ~~the judges of juvenile and domestic relations courts~~each family court judge.”

SECTION 5. Section 11‑25‑650 of the 1976 Code is amended to read:

“Section 11‑25‑650. (A)The officials charged with distribution of ~~such~~these publications shall deliver to the law library of the University of South Carolina not later than thirty days after they are printed from time to time the following number of ~~such~~these publications in addition to those otherwise ~~by law~~required by law to be delivered to ~~said~~the law library:

(1) ~~Twenty‑~~five copies of the Acts and Joint Resolutions of the General Assembly~~,~~;

(2) twenty‑five copies of the proceedings of any constitutional convention of this State~~,~~;

(3) ~~Twenty‑~~five copies of the Code~~,~~; and

(4) ~~forty‑eight~~five copies of the reports of the Supreme Court.

(B) The officials of the law library of the University of South Carolina shall exchange all or any part of ~~such~~these publications for publications relating to government useful to students of law and public officials and shall catalogue and arrange ~~such~~the material ~~so as~~to make it serviceable to members of the General Assembly.”

SECTION 6. This act takes effect upon approval by the Governor.

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