

Senate Bill 216

By: Senators Hill of the 32nd and Hamrick of the 30th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,
2 so as to delete Chapter 11, relating to the State Law Library; to amend Code Section 20-5-2
3 of the Official Code of Georgia Annotated, relating to the powers and duties of the board of
4 regents and the director of University of Georgia Libraries relative to state public libraries;
5 Code Section 36-80-19 of the Official Code of Georgia Annotated, relating to the
6 codification of ordinances and resolutions of local governments; and Code Section 45-13-22
7 of the Official Code of Georgia Annotated, relating to the distribution of the Georgia Laws
8 and the Journals of the House of Representatives and the Senate, so as to delete references
9 to the State Law Library; to provide for other related matters; to provide an effective date;
10 to repeal conflicting laws; and for other purposes.

11 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

12 **SECTION 1.**

13 Code Section 20-5-2 of the Official Code of Georgia Annotated, relating to the powers and
14 duties of the board of regents and the director of University of Georgia Libraries relative to
15 state public libraries, is amended by striking subsection (k) and inserting in lieu thereof the
16 following:

17 "(k) The director of the University of Georgia Libraries may transfer books and other
18 library holdings to the Division of Archives and History, the Board of Regents of the
19 University System of Georgia, ~~the State Law Library~~, or other public libraries. Books and
20 other library holdings which are obsolete, defective, worn out, or surplus, or otherwise in
21 the discretion of the director of the University of Georgia Libraries are not required, may
22 be sold, destroyed, or otherwise disposed of by the director of the University of Georgia
23 Libraries, without the need to comply with the provisions of Article 5 of Chapter 13 of
24 Title 45 relating to the disposition of surplus state books."

SECTION 2.

Code Section 36-80-19 of the Official Code of Georgia Annotated, relating to the codification of ordinances and resolutions of local governments, is amended by striking subsections (a) and (d) and inserting in lieu thereof the following:

"(a) As used in this Code section, the term:

(1) ~~'Local~~ 'local governing authority' means the governing authority of each municipality and county in this state.

(2) ~~'State Law Library' means the State Law Library provided for under Chapter 11 of Title 50.'~~

"(d) Each such general codification shall be:

(1) Made available by posting such codification on the Internet; ~~or~~ and

(2) ~~Furnished promptly as a copy to the State Law Library which shall be the official state repository for such general codifications; and~~

(3) In counties which have established a county law library, furnished as a copy to the county law library."

SECTION 3.

Code Section 45-13-22 of the Official Code of Georgia Annotated, relating to distribution of copies of the Georgia Laws and the Journals of the House of Representatives and the Senate, is amended by striking subsection (c) and inserting in lieu thereof the following:

"(c) Each of the officers, offices, and other entities listed in this subsection shall be authorized to order up to the indicated numbers of sets of the Georgia Laws from each legislative session. Unless otherwise specified by the ordering party, each set ordered shall include both the soft-bound and hard-bound volumes, but the ordering party may specify that an order shall omit either. The numbers of sets authorized for each such officer, office, and entity shall be as follows:

(1) Law Department (~~including the State Law Library~~) — 33 sets, which number may be increased by written order of the Attorney General;

(2) Each state agency or department — one set;

(3) Each foreign government authority and each state participating in an exchange and depository program — one set;

(4) Library of Congress — two sets;

(5) Georgia Institute of Technology — one set;

(6) University of Georgia — 52 sets;

(7) Supreme Court of Georgia — 12 sets, which number may be increased by written order of the Chief Justice;

- 1 (8) Court of Appeals of Georgia — 13 sets, which number may be increased by written
 2 order of the Chief Judge;
- 3 (9) Administrative Office of the Courts — one set;
- 4 (10) Each superior court judge — one set;
- 5 (11) Each clerk of superior court — one set;
- 6 (12) District Attorney of the Atlanta Judicial Circuit — two sets;
- 7 (13) Each other district attorney — one set;
- 8 (14) Each judge of probate court — three sets, of which one set may be retained for the
 9 judge's own use, one set may be issued to the county attorney, and one set shall be placed
 10 in the county law library or retained in the judge's office for use by the general public;
- 11 (15) Each state court — one set;
- 12 (16) Each magistrate court — one set;
- 13 (17) United States Supreme Court — one set;
- 14 (18) United States Court of Appeals for the Eleventh Circuit — one set;
- 15 (19) United States District Courts for the State of Georgia — six sets;
- 16 (20) Clerk of the House of Representatives — five sets;
- 17 (21) Each member of the General Assembly — one set;
- 18 (22) House Judiciary Committee — one set;
- 19 (23) House Majority Leader — one set;
- 20 (24) House Minority Leader — one set;
- 21 (25) Legislative budget analyst — one set;
- 22 (26) Legislative counsel — 15 sets, which number may be increased by written order of
 23 the legislative counsel;
- 24 (27) Legislative fiscal officer — one set;
- 25 (28) President of the Senate — one set;
- 26 (29) President pro tempore of the Senate — one set;
- 27 (30) Secretary of the Senate — three sets;
- 28 (31) Speaker of the House — one set; and
- 29 (32) Senate Judiciary Committee — one set."

30

SECTION 4.

31 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 32 by striking Chapter 11, relating to the State Law Library, and inserting in lieu thereof the
 33 following:

"CHAPTER 11

50-11-1.

As used in this chapter, the term:

(1) ~~'Librarian' means the state law librarian whose duties are set forth in this chapter.~~

(2) ~~'Library' means the State Law Library provided for in this chapter. Reserved.~~

50-11-2.

~~The library is incorporated into and made a division of the Department of Law. The Attorney General shall keep and maintain under his supervision the library which shall be located in a building at the seat of state government and which shall be open to the general public Mondays through Fridays during the hours of 9:00 A.M. to 4:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, legal holidays excepted. The Attorney General shall have authority to provide for the library to be opened during such additional days and hours as he deems either necessary or proper. Reserved.~~

50-11-3.

~~The Attorney General shall appoint a librarian for such periods of time as he deems advisable. The librarian appointed shall be a duly certified librarian, according to Chapter 24 of Title 43 and rules and regulations adopted pursuant thereto, or an attorney at law. The librarian shall be responsible to the Attorney General and shall furnish such information and reports as the Attorney General shall require. The Attorney General shall appoint such library employees for such periods of time as he shall deem necessary for the proper functioning of the library. The Attorney General shall set the compensation of the librarian and all library employees, all of whom shall be removable by the appointing authority. The librarian and library employees shall be employees of the Department of Law and shall be covered as such by the Employees' Retirement System of Georgia. Reserved.~~

50-11-4.

~~The librarian shall keep in sound condition all books and other library materials entrusted to his care and custody; he shall prepare and maintain an index to such books and materials which shall be revised without unnecessary delay from time to time, as the circumstances may require. The librarian is authorized to accept in behalf of the state gifts of books and other library materials. Reserved.~~

1 50-11-5.

2 ~~The library shall be the State Library for purposes of 44 U.S.C. Section 1903, relating to~~
3 ~~the distribution of federal government documents to state libraries. Reserved.~~

4 50-11-6.

5 ~~The librarian shall establish and maintain with other states, through the proper authorities,~~
6 ~~the exchange of copies of reports for the reports of their appellate tribunals. Reserved.~~

7 50-11-7.

8 Reserved.

9 50-11-8.

10 Reserved.

11 50-11-9.

12 ~~The librarian may transfer books and other library holdings to the Division of Archives and~~
13 ~~History, the State Board of Education, and the Board of Regents of the University System~~
14 ~~of Georgia, each of which is empowered to accept such transfers. Books and other library~~
15 ~~holdings which are obsolete, defective, worn-out, or surplus, or otherwise in the discretion~~
16 ~~of the librarian are not required in the operation of the library, may be sold, destroyed, or~~
17 ~~otherwise disposed of by the librarian, without the need to comply with the provisions of~~
18 ~~Article 5 of Chapter 13 of Title 45, relating to the disposition of surplus state books.~~
19 Reserved.

20 50-11-10.

21 Reserved."

22 **SECTION 5.**

23 This Act shall become effective upon its approval by the Governor or upon its becoming law
24 without such approval.

25 **SECTION 6.**

26 All laws and parts of laws in conflict with this Act are repealed.