

Senate Bill 482

By: Senators Hill of the 32nd and Meyer von Bremen of the 12th

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 repeal Chapter 11, relating to the State Law Library; to delete references to the Sate
3 Law Library; to amend the Official Code of Georgia Annotated so as to make conforming
4 changes; to provide for other related matters; to provide an effective date; to repeal
5 conflicting laws; and for other purposes.

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

7 **SECTION 1.**

8 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
9 by repealing Chapter 11, relating to the State Law Library, and designating said chapter as
10 reserved.

11 **SECTION 2.**

12 Code Section 20-5-2 of the Official Code of Georgia Annotated, relating to the powers and
13 duties of the board of regents and the director of University of Georgia Libraries relative to
14 state public libraries, is amended by revising subsection (k) as follows:

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

SECTION 3.

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 revising subsections (a) and (d) as follows:

"(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

(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 4.

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 revising paragraph (1) of subsection (c) as follows:

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

SECTION 5.

Said Code section is further amended by revising paragraph (1) of subsection (d) as follows:

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

SECTION 6.

Said Code section is further amended by revising subsection (h) as follows:

"(h) The Secretary of State shall act as the exchange officer of this state for the purpose of a regular exchange between this state and other states and foreign governments of the session laws and the journals of the House and Senate. To the extent that the Secretary of State deems such exchanges appropriate, if requested by the Attorney General to make such exchanges, the Secretary of State shall distribute one set of the session laws and the journals of the House and Senate to each participating state and foreign government. ~~The~~

1 ~~session laws and journals of the House and Senate received in exchange from other states~~
 2 ~~and foreign governments shall become a part of the collection of the State Law Library."~~

3 **SECTION 7.**

4 Article 3 of Chapter 5 of Title 50, relating to state purchasing, is revised in paragraph (1) of
 5 subsection (a) of Code Section 50-5-58, relating to cases where purchases through the
 6 Department of Administrative Services are not mandatory, as follows:

7 "(1) Technical instruments and supplies and technical books and other printed matter on
 8 technical subjects; also manuscripts, maps, books, pamphlets, and periodicals for the use
 9 of ~~the State Library or any other~~ library in the state supported by state funds; also
 10 services;"

11 **SECTION 8.**

12 Article 2 of Chapter 18 of Title 50, relating to court reports, is amended by revising Code
 13 Section 50-18-31, relating to the procedure for distribution of reports and the discontinuance
 14 or resumption of distribution, as follows:

15 "50-18-31.

16 The reporter shall make distribution of the reports which shall be handled in accordance
 17 with this Code section:

18 (1) ~~The state librarian shall furnish the reporter a written memorandum indicating the~~
 19 ~~number of volumes of each new report which will be required for purposes of the~~
 20 ~~exchange set forth in Code Sections 50-11-5 and 50-11-6. The reporter shall arrange for~~
 21 ~~delivery to exchangees, on behalf and in the name of the state library, of volumes of~~
 22 ~~reports distributed to the state librarian for exchange purposes. The state librarian shall~~
 23 ~~supply the reporter with shipping labels containing the names and addresses of the~~
 24 ~~exchangees;~~

25 (2) The reporter shall place all orders for the reports with the publisher. At any time the
 26 state librarian adds or eliminates a particular exchange point or determines that the
 27 number of copies of either of the reports needs to be changed, he or she shall notify the
 28 reporter of this fact in writing, and the reporter shall adjust his or her orders for new
 29 reports accordingly;

30 (3)(2) All volumes distributed within this state to the state or to any of its subordinate
 31 departments, agencies, or political subdivisions, or to public officers or public employees
 32 within the state, other than to the state librarian for exchange purposes, shall be the
 33 property of the appropriate public officer or employee during his or her term of office or
 34 employment and shall be turned over to his or her successor; and the reporter shall take
 35 and retain a receipt from each such public officer or employee acknowledging this fact.

1 Volumes distributed to the state librarian for exchange purposes, but handled for delivery
 2 to exchangees by the reporter on behalf and in the name of the state library, shall become
 3 the property of the recipient. The reporter shall at all times use the most economical
 4 method of shipment consistent with the safety and security of the volumes;

5 ~~(4)~~(3) The reporter shall make distributions of the reports in accordance with the
 6 following:

- 7 Archives, State one copy
- 8 Commissioner of Insurance one copy
- 9 Court of Appeals of Georgia 23 copies

10 (which number may be increased upon written order from the Chief
 11 Judge to the reporter)

- 12 Executive Department one copy
- 13 Georgia Institute of Technology one copy
- 14 Georgia State University one copy
- 15 Historical Society, Georgia one copy
- 16 Human Resources, Department of one copy
- 17 House Judiciary Committee one copy
- 18 Labor, Department of one copy
- 19 Law, Department of (~~other than State Library~~) six copies

20 (which number may be increased upon written order from the Attorney
 21 General)

- 22 Legislative Counsel one copy

23 (which number may be increased upon written order of the Legislative
 24 Counsel)

25 Library, State

26 Exchange Program:

- 27 Each foreign government authority participating one copy
- 28 Each state participating one copy
- 29 Shelving two copies

30 Newly created superior court circuits or judgeships as appropriate

31 Whenever a new superior court circuit or a new judgeship within a
 32 circuit shall be created, if the officer entitled to reports shall notify the
 33 reporter in writing of his or her assumption of office, the reporter shall
 34 add his or her position to those to receive reports and shall supply him
 35 or her with all earlier volumes.

1	Judge of the Probate Court (each county)	one copy
2	Public Service Commission	one copy
3	Recipients not named herein but named on the librarian's distribution list	
4	as of the date of his <u>or her</u> last distribution of the reports next preceding	
5	April 18, 1975 (each)	one copy
6	The reporter is authorized to add such names, in whole or in part, to his	
7	<u>or her</u> listing of distributees to receive future reports.	
8	Reporter	
9	Assistant reporter's desk	one copy
10	Copyright	three copies
11	Reporter's clerical staff	one copy
12	Reporter's desk	one copy
13	Secretary of State	one copy
14	Senate Judiciary Committee	one copy
15	Special or emergency circumstances	as appropriate
16	When it shall appear to the reporter that a worthy state purpose will be	
17	served thereby, he <u>or she</u> may add agencies or officers to the list of	
18	recipients of reports, provided that no courts or agencies of a local	
19	nature shall be added to the list.	
20	Superior Courts	
21	Clerks (each)	one copy
22	District Attorneys (each)	one copy
23	Judges (each)	one copy
24	Supreme Court of Georgia	18 copies
25	(which number may be increased upon written order from the Chief	
26	Justice to the reporter)	
27	United States Courts	
28	Court of Appeals, Fifth Circuit	one copy
29	District Courts, Georgia	four copies
30	University of Georgia Law School Library	25 copies
31	Workers' Compensation, State Board of	six copies
32	The reporter may add additional recipients or additional copies to named	
33	recipients upon written order from the Chief Justice of the Supreme Court;	
34	and	

1 ~~(5)~~(4) Notwithstanding the provisions of paragraph ~~(4)~~ (3) of this Code section regarding
2 distribution of reports to superior courts and to judges of the probate courts, the chief
3 judge of the superior courts of any judicial circuit may, for any county within that circuit,
4 have discontinued or restored the distribution of any of that county's authorized number
5 of copies of reports, as such judge determines the needs therefor, upon written request to
6 the librarian. In any event, at least one copy of each report shall be distributed to each
7 county to be placed in the county law library or, if no such library is maintained, in the
8 office of the judge of the probate court for the use of the general public."

9 **SECTION 9.**

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

12 **SECTION 10.**

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