

1 SB205
2 215485-1
3 By Senator Beasley
4 RFD: Governmental Affairs
5 First Read: 10-FEB-22

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8 SYNOPSIS: Under existing law, the Secretary of State
9 is required to transmit sets of the Code of Alabama
10 1975, as well as supplements or replacement
11 volumes, to certain public officials, agencies, law
12 libraries, and other specified public entities upon
13 written request by the various recipients. Members
14 of the Legislature are among the officials who
15 receive sets of the Code of Alabama 1975, however,
16 legislative members receive the sets automatically
17 unless they specifically elect to decline receiving
18 the books.

19 This bill would provide that members of the
20 Legislature no longer receive sets of the Code of
21 Alabama 1975 automatically, but rather must request
22 them from the Secretary of State in the same manner
23 as other recipients.

24 Under existing law, the Secretary of State
25 must notify a new public official filling a vacated
26 office, within 30 days of learning the vacancy was

1 filled, that the new public official is eligible to
2 receive a set of the Code of Alabama 1975.

3 This bill would extend to 90 the number of
4 days after learning of the filling of a vacancy
5 that the Secretary of State must provide notice to
6 the new public official.

7
8 A BILL
9 TO BE ENTITLED
10 AN ACT

11
12 Relating to the Secretary of State; to amend Section
13 41-21-1, Code of Alabama 1975; to provide that in order for
14 any member of the Legislature to receive a set of the Code of
15 Alabama 1975, the member must make a request with the
16 Secretary of State; and to provide further for the notice the
17 Secretary of State provides certain officials eligible to
18 receive a set of the Code of Alabama 1975.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1.

21 "§41-21-1.

22 "~~(a) It shall be the duty of the Secretary of State,~~
23 ~~on~~ Upon publication and delivery to the state, ~~to the~~
24 Secretary of State shall transmit sets of the Code of Alabama
25 1975, and supplements or replacement volumes thereof, subject
26 to subsection (b), to all of the following agencies,

1 departments, institutions, bureaus, boards, commissions, and
2 offices:

3 "(1) One set to the law library of Congress.

4 "(2) One set to the custodian of the law library of
5 the court of last resort of every state and territory for
6 exchange upon the approval of the state law librarian of the
7 request ~~therefor~~.

8 "(3) One set to the library of the University of
9 Alabama and one set to the Land Commissioner of the University
10 of Alabama.

11 "(4) One set to each member of the Legislature, the
12 Lieutenant Governor, the Clerk of the House of
13 Representatives, and the Secretary of the Senate.

14 "(5) One set to the library of each junior college,
15 trade school, technical college, and public institution of
16 higher education.

17 "(6) Twenty sets to the ~~librarian~~ Librarian of the
18 Supreme Court and State Law Library for the use of the
19 library.

20 "(7) Two sets to the Department of Archives and
21 History.

22 "(8) Two sets to the ~~office~~ Office of the Governor.

23 "(9) Twenty sets to the ~~office~~ Office of the
24 Attorney General.

25 "(10) Five sets to the ~~Legislative Reference Service~~
26 Legislative Services Agency.

1 "(11) Two sets to the ~~Department of Court Management~~
2 Administrative Office of Courts.

3 "(12) One set to each functioning agency,
4 department, institution, bureau, board, and commission of
5 state government not otherwise provided for by this chapter,
6 upon application ~~therefor~~ to the Secretary of State.

7 "(13) One set to the commission of each county for
8 use of the county commission and for use of the tax assessor,
9 tax collector, and other county officers to whom distribution
10 is not otherwise provided.

11 "(14) One set to the circuit court of each county
12 and, in counties having two courthouses, one set for the
13 office of the circuit clerk maintained in each of the
14 courthouses.

15 "(15) One set to the clerk of the district court and
16 juvenile court in counties where clerks' offices for these
17 courts are maintained.

18 "(16) One set to the probate judge of each county.

19 "(17) Three sets to every justice of the Supreme
20 Court and two sets to every judge of the Court of Criminal
21 Appeals and Court of Civil Appeals.

22 "(18) Three sets to the Clerk of the Supreme Court,
23 and one set each to the Court of Criminal Appeals, Court of
24 Civil Appeals, and Reporter of Decisions.

25 "(19) One set to every judge of the circuit and
26 district courts.

27 "(20) One set to every district attorney.

1 "(21) One set to the ~~office~~ Office of the Secretary
2 of the Senate for the use of the Senate and one set to the
3 ~~office~~ Office of the Clerk of the House of Representatives for
4 the use of the House of Representatives.

5 "(22) One set to the mayor or other executive or
6 presiding officer of each municipality for use of such
7 municipality.

8 "(b) Code sets, annual supplements, and replacement
9 volumes shall be provided to each eligible recipient under
10 subsection (a) upon written request submitted by the recipient
11 to the Secretary of State. The written request shall be filed
12 once every four years within 30 days of receipt of a notice
13 provided by the Secretary of State to the recipient concerning
14 the necessity of filing a written request. The notice shall be
15 provided by the Secretary of State within one month after the
16 first legislative day of the first regular session of a
17 legislative quadrennium.

18 "~~(c) Notwithstanding subsection (b), the code sets,~~
19 ~~annual supplements, and replacement volumes distributed to~~
20 ~~members of the Legislature shall be provided unless the member~~
21 ~~submits a written request to the Secretary of State declining~~
22 ~~these volumes.~~

23 "~~(d)~~ (c) The Secretary of State shall provide notice
24 to an eligible recipient who newly assumes a vacated office
25 within ~~30~~ 90 days of being informed of the filling of the
26 vacancy. The eligible recipient shall have 30 days from
27 receipt of the notice from the Secretary of State to file a

1 written request for code sets, annual supplements, and
2 replacement volumes. Upon receipt of the request, the
3 Secretary of State shall provide the materials to the eligible
4 recipient ~~during the remainder of the four-year period."~~

5 Section 2. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.