

By: Representative Howell

To: Apportionment and
Elections

HOUSE BILL NO. 812

1 AN ACT TO PROHIBIT THE DISSEMINATION OF FALSE STATEMENTS
2 CONCERNING A CANDIDATE, EITHER KNOWING THEM TO BE FALSE OR WITH
3 RECKLESS DISREGARD OF WHETHER OR NOT THEY ARE FALSE, THAT ARE
4 DESIGNED TO PROMOTE THE ELECTION, NOMINATION OR DEFEAT OF THE
5 CANDIDATE; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL INVESTIGATE
6 AND PROSECUTE ANY VIOLATION OF THIS SECTION; TO PRESCRIBE A
7 PENALTY THEREFOR; AND FOR RELATED PURPOSES.

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

9 SECTION 1. A person, during the course of any campaign for
10 nomination or election to public office, shall not knowingly post,
11 publish, circulate, distribute or otherwise disseminate a false
12 statement concerning a candidate that is designed to promote the
13 election, nomination or defeat of the candidate, either knowing
14 the statement to be false or with reckless disregard of whether or
15 not the statement is false.

16 A complaint for a violation of this section shall be filed
17 with the Attorney General. The Attorney General shall investigate
18 all complaints filed and shall prosecute, in the court having
19 proper jurisdiction, any person that violates this section.

20 Any person who violates the provisions of this section shall
21 be punished by a fine of One Thousand Dollars (\$1,000.00).

22 SECTION 2. The Attorney General of the State of Mississippi
23 shall submit this act, immediately upon approval by the Governor,

24 or upon approval by the Legislature subsequent to a veto, to the
25 Attorney General of the United States or to the United States
26 District Court for the District of Columbia in accordance with the
27 provisions of the Voting Rights Act of 1965, as amended and
28 extended.

29 SECTION 3. This act shall take effect and be in force from
30 and after the date it is effectuated under Section 5 of the Voting
31 Rights Act of 1965, as amended and extended.