

By: Representatives Chaney, King, Holden, Moore, Saucier, Smith (59th), Rotenberry, Formby, Ellington, Cameron, Robertson, Davis, Ishee, Denny, Maples, Johnson, Woods, Williams, Foster, Martinson, Jennings, Janus, Ketchings, Roberson, Barnett (116th), Howell, Read, Wells-Smith

To: Judiciary A; Apportionment and Elections

HOUSE BILL NO. 875

1 AN ACT TO AMEND SECTION 1 OF CHAPTER 301, LAWS OF 1999, AND
2 SECTIONS 23-15-976 AND 97-13-15, MISSISSIPPI CODE OF 1972, TO
3 ALLOW POLITICAL COMMITTEES TO ENDORSE AND CONTRIBUTE TO JUDICIAL
4 CANDIDATES IN THE SAME MANNER AS CORPORATIONS MAY CONTRIBUTE TO
5 CANDIDATES; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 1 of Chapter 301, Laws of 1999, is
8 amended as follows:

9 Section 1. It shall be unlawful for any individual * * * to
10 give, donate, appropriate or furnish directly or indirectly, any
11 money, security, funds or property in excess of Two Thousand Five
12 Hundred Dollars (\$2,500.00) for the purpose of aiding any
13 candidate or candidate's political committee for judge of a
14 county, circuit or chancery court or in excess of Five Thousand
15 Dollars (\$5,000.00) for the purpose of aiding any candidate or
16 candidate's political committee for judge of the Court of Appeals
17 or justice of the Supreme Court, or to give, donate, appropriate
18 or furnish directly or indirectly, any money, security, funds or
19 property in excess of Two Thousand Five Hundred Dollars
20 (\$2,500.00) to any candidate or the candidate's political
21 committee for judge of a county, circuit or chancery court or in
22 excess of Five Thousand Dollars (\$5,000.00) for the purpose of
23 aiding any candidate or candidate's political committee for judge
24 of the Court of Appeals or justice of the Supreme Court, as a
25 contribution to the expense of a candidate for judicial office.

26 SECTION 2. Section 23-15-976, Mississippi Code of 1972, is
27 amended as follows:

28 **[Until Chapter 301, Laws of 1999, is effectuated under**
29 **Section 5 of the Voting Rights Act of 1965, this section shall**
30 **read as follows:]**

31 23-15-976. A judicial office is a nonpartisan office and a
32 candidate for election thereto is prohibited from campaigning or
33 qualifying for such an office based on party affiliation.

34 **[From and after such time as Chapter 301, Laws of 1999, is**
35 **effectuated under Section 5 of the Voting Rights Act of 1965 this**
36 **section shall read as follows:]**

37 23-15-976. A judicial office is a nonpartisan office and a
38 candidate for election thereto is prohibited from campaigning or
39 qualifying for such an office based on party affiliation. The
40 Legislature finds that in order to ensure that campaigns for
41 nonpartisan judicial office remain nonpartisan and without any
42 connection to a political party, political parties and any
43 committee or political committee affiliated with a political party
44 may engage in fund-raising on behalf of a candidate or
45 officeholder of a nonpartisan judicial office, * * * a political
46 party or any committee or political committee affiliated with a
47 political party may make a contribution to a candidate for
48 nonpartisan judicial office or the political committee of a
49 candidate for nonpartisan judicial office, and a political party
50 or any committee or political committee affiliated with a
51 political party may publicly endorse any candidate for nonpartisan
52 judicial office in the manner provided in Section 97-13-15. No
53 candidate or candidate's political committee for nonpartisan
54 judicial office shall accept a contribution from a political party
55 or any committee or political committee affiliated with a
56 political party, except as allowable under Section 97-13-15.

57 SECTION 3. Section 97-13-15, Mississippi Code of 1972, is
58 amended as follows:

59 **[Until Chapter 301, Laws of 1999, is effectuated under**
60 **Section 5 of the Voting Rights Act of 1965, this section shall**

61 **read as follows:]**

62 97-13-15. It shall be unlawful for any corporation,
63 incorporated company or incorporated association, by whatever name
64 it may be known, incorporated or organized under the laws of this
65 state, or doing business in this state, or for any servant, agent,
66 employee or officer thereof, to give, donate, appropriate or
67 furnish directly or indirectly, any money, security, funds or
68 property of said corporation, incorporated company or incorporated
69 association, in excess of One Thousand Dollars (\$1,000.00) for the
70 purpose of aiding any political party or any candidate for any
71 public office, or any candidate for any nomination for any public
72 office of any political party, or to give, donate, appropriate or
73 furnish, directly or indirectly, any money, security, funds or
74 property of said corporation, incorporated company or association
75 in excess of One Thousand Dollars (\$1,000.00) to any committee or
76 person as a contribution to the expense of any political party or
77 any candidate, representative or committee of any political party
78 or candidate for nomination by any political party, or any
79 committee or other person acting in behalf of such candidate. The
80 limit of One Thousand Dollars (\$1,000.00) for contributions to
81 political parties shall be an annual limitation applicable to each
82 calendar year.

83 **[From and after such time as Chapter 301, Laws of 1999, is**
84 **effectuated under Section 5 of the Voting Rights Act of 1965, this**
85 **section shall read as follows:]**

86 97-13-15. It shall be unlawful for any corporation,
87 incorporated company or incorporated association, by whatever name
88 it may be known, incorporated or organized under the laws of this
89 state, or doing business in this state, or for any servant, agent,
90 employee or officer thereof, to give, donate, appropriate or
91 furnish directly or indirectly, any money, security, funds or
92 property of said corporation, incorporated company or incorporated
93 association, in excess of One Thousand Dollars (\$1,000.00) per

94 calendar year for the purpose of aiding any political party or any
95 candidate for any public office, or any candidate for any
96 nomination for any public office of any political party, or to
97 give, donate, appropriate or furnish, directly or indirectly, any
98 money, security, funds or property of said corporation,
99 incorporated company or association in excess of One Thousand
100 Dollars (\$1,000.00) to any committee or person as a contribution
101 to the expense of any political party or any candidate,
102 representative or committee of any political party or candidate
103 for nomination by any political party, or any committee or other
104 person acting in behalf of such candidate. The limit of One
105 Thousand Dollars (\$1,000.00) for contributions to political
106 parties, candidates and committees or other persons acting in
107 behalf of such candidates shall be an annual limitation applicable
108 to each calendar year. The provisions of this section shall apply
109 to political parties and committees affiliated with political
110 parties in judicial elections governed by Sections 23-15-971 et
111 seq.

112 SECTION 4. The Attorney General of the State of Mississippi
113 shall submit this act, immediately upon approval by the Governor,
114 or upon approval by the Legislature subsequent to a veto, to the
115 Attorney General of the United States or to the United States
116 District Court for the District of Columbia in accordance with the
117 provisions of the Voting Rights Act of 1965, as amended and
118 extended.

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