

By: Reynolds

To: Apportionment and  
Elections

## HOUSE BILL NO. 1477

1 AN ACT TO AMEND SECTION 23-15-871, MISSISSIPPI CODE OF 1972,  
2 TO MAKE AN EXCEPTION TO THE GENERAL PROHIBITION AGAINST EMPLOYERS  
3 MAKING STATEMENTS ABOUT CANDIDATES FOR ELECTIVE OFFICE, TO ALLOW  
4 EMPLOYERS TO INFORM AND EDUCATE EMPLOYEES ABOUT ELECTION ISSUES  
5 AND CANDIDATES; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 23-15-871, Mississippi Code of 1972, is  
8 amended as follows:[BD1]

9 23-15-871. It shall be unlawful for any corporation or any  
10 officer or employee thereof, or any member of a firm, or trustee  
11 or any member of any association, or any other employer, to direct  
12 or coerce, directly or indirectly, any employee to vote or not to  
13 vote for any particular person or group of persons in any  
14 election, or to discharge or to threaten to discharge any such  
15 employee, or to increase or decrease the salary or wages of an  
16 employee, or otherwise promote or demote him, because of his vote  
17 or failure to vote for any particular candidate or group of  
18 candidates. It shall be unlawful for any employer, or employee  
19 having the authority to employ or discharge other employees, to  
20 make any statement public or private, or to give out or circulate  
21 any report or statement, calculated to intimidate or coerce or  
22 otherwise influence any employee as to his vote, except that it  
23 shall be permissible for the employer or employee with authority  
24 to employ or discharge other employees to inform and educate  
25 employees about election issues and candidates. When any such  
26 statements have obtained circulation, it shall be the duty of such  
27 employer to publicly repudiate it, in the absence of which

28 repudiation the employer shall be deemed by way of ratification to  
29 have made it himself. Nor shall any employee be requested,  
30 directed or permitted to canvass for or against any candidate or  
31 render any other services for or against any candidate or group of  
32 candidates, during any of the hours within which the salary of  
33 said employee as an employee is being paid or agreed to be paid;  
34 nor shall any such employee be allowed any vacation or leave of  
35 absence at the expense of the employer to render any service or  
36 services for or against any candidate or group of candidates, or  
37 to take any active part in any election campaign whatsoever; nor  
38 shall any employee at the expense, in whole or in part, of any  
39 employer take any part whatever in any election campaign, except  
40 the necessary time to cast his vote. The prohibitions of this  
41 section shall apply to all state, state district, county and  
42 county district officers, and to any board or commission and the  
43 members thereof by whatever name designated and whether elective  
44 or appointive, and to each and every one of those employed by them  
45 or any of them. And no state, state district, county or county  
46 district officer, or any employee of any of them who directly or  
47 indirectly has the control, or in any way the power of control, or  
48 who asserts or pretends that he has such power, over the  
49 expenditure of any public funds in this state, whatever the  
50 purpose or object of said expenditure may be, shall state, suggest  
51 or intimate, publicly or privately, or in any manner or form, that  
52 any such expenditure shall in any wise depend upon or be  
53 influenced by the vote of any person, group of persons, or  
54 community or group of communities, whether for or against any  
55 candidate or group of candidates at any election. This section  
56 and every part of it shall apply also to all federal officers,  
57 agents, employees, boards and commissions by whatever name known  
58 and to each and every one of those employed by them or any of  
59 them, as to any interference by them or any of them, contrary to  
60 the provisions of this chapter, in the elections of this state.

61 SECTION 2. The Attorney General of the State of Mississippi  
62 shall submit this act, immediately upon approval by the Governor,  
63 or upon approval by the Legislature subsequent to a veto, to the  
64 Attorney General of the United States or to the United States

65 District Court for the District of Columbia in accordance with the  
66 provisions of the Voting Rights Act of 1965, as amended and  
67 extended.

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