HOUSE BILL NO. 715

AN ACT TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO REQUIRE DISCLOSURE OF THE NAME OF THE POLITICAL CANDIDATE RECEIVING IN-KIND CONTRIBUTIONS; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-807, Mississippi Code of 1972, is amended as follows:

23-15-807. (a) Each candidate or political committee shall file reports of contributions and disbursements in accordance with the provisions of this section. All candidates or political committees required to report may terminate its obligation to report only upon submitting a final report that it will no longer receive any contributions or make any disbursement and that such candidate or committee has no outstanding debts or obligations. The candidate, treasurer or chief executive officer shall sign each such report.

(b) Candidates who are seeking election, or nomination for election, and political committees that make expenditures for the purpose of influencing or attempting to influence the action of voters for or against the nomination for election, or election, of one or more candidates or balloted measures at such election, shall file the following reports:

(i) In any calendar year during which there is a regularly scheduled election, a preelection report, which shall be filed no later than the seventh day before any election in which such candidate or political committee has accepted contributions or made expenditures and which shall be complete as of the tenth day before such election;
(ii) In 1987 and every fourth year thereafter, periodic reports, which shall be filed no later than the tenth day after April 30, May 31, June 30, September 30 and December 31, and which shall be complete as of the last day of each period; and

(iii) In any calendar years except 1987 and except every fourth year thereafter, a report covering the calendar year which shall be filed no later than January 31 of the following calendar year.

(c) All candidates for judicial office as defined in Section 23-15-975, or their political committees, shall file in the year in which they are to be elected, periodic reports which shall be filed no later than the tenth day after April 30, May 31, June 30, September 30 and December 31.

(d) Contents of reports. Each report under this article shall disclose:

(i) For the reporting period and the calendar year, the total amount of all contributions and the total amount of all expenditures of the candidate or reporting committee which shall include those required to be identified pursuant to item (ii) of this paragraph as well as the total of all other contributions and expenditures during the calendar year. Such reports shall be cumulative during the calendar year to which they relate;

(ii) The identification of:

1. Each person or political committee who makes a contribution to the reporting candidate or political committee during the reporting period, whose contribution or contributions within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars ($200.00) together with the date and amount of any such contribution and the name of the candidate;

2. Each person or organization, candidate or political committee who receives an expenditure, payment or other transfer from the reporting candidate, political committee, or its agent, employee, designee, contractor, consultant or other person
or persons acting in its behalf, or any person acting to benefit a
candidate but who is not an agent of the entity receiving the
expenditure, payment or other transfer, during the reporting
period when the expenditure, payment or other transfer to such
person, organization, candidate or political committee within the
calendar year have an aggregate value or amount in excess of Two
Hundred Dollars ($200.00) together with the date and amount of
such expenditure, in the case of a candidate, or any person acting
on behalf of or for the benefit of the candidate, and the name of
the candidate;

(iii) The total amount of cash on hand of each
reporting candidate and reporting political committee;

(iv) In addition to the contents of reports specified
in items (i), (ii) and (iii) of this paragraph, each political
party shall disclose:

1. Each person or political committee who makes a
contribution to a political party during the reporting period and
whose contribution or contributions to a political party within
the calendar year have an aggregate amount or value in excess of
Two Hundred Dollars ($200.00), together with the date and amount
of the contribution;

2. Each person or organization who receives an
expenditure by a political party or expenditures by a political
party during the reporting period when the expenditure or
expenditures to the person or organization within the calendar
year have an aggregate value or amount in excess of Two Hundred
Dollars ($200.00), together with the date and amount of the
expenditure.

(e) The appropriate office specified in Section 23-15-805
must be in actual receipt of the reports specified in this article
by 5:00 p.m. on the dates specified in paragraph (b) of this
section. If the date specified in paragraph (b) of this section
shall fall on a weekend or legal holiday then the report shall be

H. B. No. 715
03/HR03/R1165
PAGE 3 (GT\LW)
due in the appropriate office at 5:00 p.m. on the first working
day before the date specified in paragraph (b) of this section.
The reporting candidate or reporting political committee shall
ensure that the reports are delivered to the appropriate office by
the filing deadline. The Secretary of State may approve specific
means of electronic transmission of completed campaign finance
disclosure reports, which may include, but not be limited to,
transmission by electronic facsimile (FAX) devices.

(f) (i) If any contribution of more than Two Hundred
Dollars ($200.00) is received by a candidate or candidate's
political committee after the tenth day, but more than forty-eight
(48) hours before 12:01 a.m. of the day of the election, the
candidate or political committee shall notify the appropriate
office designated in Section 23-15-805, within forty-eight (48)
hours of receipt of the contribution. The notification shall
include:

1. The name of the receiving candidate;
2. The name of the receiving candidate's political
committee, if any;
3. The office sought by the candidate;
4. The identification of the contributor;
5. The date of receipt;
6. The amount of the contribution;
7. If the contribution is in-kind, a description
of the in-kind contribution; and
8. The signature of the candidate or the treasurer
or director of the candidate's political committee;

(ii) The notification shall be in writing, and may be
transmitted by overnight mail, courier service, or other reliable
means, including electronic facsimile (FAX), but the candidate or
candidate’s committee shall ensure that the notification shall in
fact be received in the appropriate office designated in Section
23-15-805 within forty-eight (48) hours of the contribution.
SECTION 2. The Attorney General of the State of Mississippi shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

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