

By: Senator(s) Burton, Ross, Chaney, Clarke, Davis, Flowers, Hyde-Smith, Jackson (15th), King, Kirby, Lee (35th), Little, Nunnelee, Pickering, White To: Elections

SENATE BILL NO. 2387
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 23-15-805, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT FROM AND AFTER JANUARY 1, 2007, CANDIDATES FOR
3 STATE AND STATE DISTRICT OFFICE AND THEIR AUTHORIZED COMMITTEES OR
4 AGENTS THAT RECEIVE CONTRIBUTIONS OR MAKE EXPENDITURES IN EXCESS
5 OF \$500,000.00 IN ANY CALENDAR YEAR, SHALL FILE CAMPAIGN FINANCE
6 REPORTS BY ELECTRONIC FORMAT; TO AMEND SECTION 23-15-807,
7 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CAMPAIGN FINANCE REPORTS
8 SHALL INCLUDE CERTAIN INFORMATION REGARDING LOANS OR OTHER
9 EXTENSIONS OF CREDIT MADE TO A CANDIDATE FOR USE IN SUCH
10 CANDIDATE'S CAMPAIGN; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE
11 OF 1972, TO PROVIDE THAT IF A CANDIDATE IS CHARGED WITH A CRIMINAL
12 VIOLATION OF THE CAMPAIGN FINANCE LAW, THE VIOLATION SHALL BE
13 DEEMED TO HAVE BEEN COMMITTED IN THE COUNTY IN WHICH THE
14 CANDIDATE'S CAMPAIGN FINANCE REPORT WAS PREPARED OR THE COUNTY OF
15 RESIDENCE OF THE DEFENDANT AND VENUE FOR ANY CRIMINAL ACTION BASED
16 ON SUCH VIOLATION SHALL BE ONLY IN THAT COUNTY; TO PROVIDE THAT NO
17 CRIMINAL ACTION UNDER THE CAMPAIGN FINANCE LAW MAY BE BROUGHT
18 UNLESS FIRST AUTHORIZED BY THE STATE BOARD OF ELECTION
19 COMMISSIONERS; TO AMEND SECTION 23-15-813, MISSISSIPPI CODE OF
20 1972, TO PROVIDE THAT HEARINGS HELD BY HEARING OFFICERS REGARDING
21 IMPOSITION OF CIVIL FINES UPON CANDIDATES UNDER THE CAMPAIGN
22 FINANCE LAW SHALL BE HELD IN THE COUNTY OF RESIDENCE OF THE
23 CANDIDATE; TO PROVIDE THAT AN APPEAL FROM THE DECISION OF THE
24 HEARING OFFICER BY A CANDIDATE SHALL BE TO THE CIRCUIT COURT OF
25 THE COUNTY OF RESIDENCE OF THE CANDIDATE; TO AMEND SECTION
26 97-13-15, MISSISSIPPI CODE OF 1972, TO INCREASE TO \$2,000.00 THE
27 AMOUNT THAT CORPORATIONS, INCORPORATED COMPANIES OR INCORPORATED
28 ASSOCIATIONS MAY ANNUALLY DONATE FOR THE PURPOSE OF AIDING ANY
29 POLITICAL PARTY OR ANY CANDIDATE FOR ANY PUBLIC OFFICE, OR ANY
30 CANDIDATE FOR ANY NOMINATION FOR ANY PUBLIC OFFICE OF ANY
31 POLITICAL PARTY TO INCLUDE LABOR UNIONS WITHIN SUCH CONTRIBUTION
32 LIMIT; TO AMEND SECTION 83-15-805, MISSISSIPPI CODE OF 1972, IN
33 CONFORMITY THERETO; TO REPEAL SECTION 23-15-1023, MISSISSIPPI CODE
34 OF 1972, WHICH PROVIDES THAT JUDICIAL CANDIDATES SHALL DISCLOSE
35 CERTAIN INFORMATION ABOUT CERTAIN LOANS; AND FOR RELATED PURPOSES.

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

37 **SECTION 1.** Section 23-15-805, Mississippi Code of 1972, is
38 amended as follows:

39 23-15-805. (1) Candidates for state, state district, and
40 legislative district offices, and every political committee, which
41 makes reportable contributions to or expenditures in support of or
42 in opposition to a candidate for any such office or makes
43 reportable contributions to or expenditures in support of or in

44 opposition to a statewide ballot measure, shall file all reports
45 required under this article with the Office of the Secretary of
46 State.

47 (2) (a) From and after January 1, 2007, when aggregate
48 contributions or aggregate disbursements for a calendar year reach
49 in excess of Five Hundred Thousand Dollars (\$500,000.00), a
50 candidate for state or state district office or his or her
51 authorized committee or agent shall file all subsequent reports
52 required by this article by electronic format.

53 (b) The Office of the Secretary of State shall adopt
54 rules and regulations designating the format and software to be
55 used in filing reports by electronic format under this subsection.
56 All candidates and committees required to file reports by
57 electronic format under this subsection shall follow the format
58 and use the software prescribed by the Office of the Secretary of
59 State.

60 (3) Candidates for county or county district office, and
61 every political committee which makes reportable contributions to
62 or expenditures in support of or in opposition to a candidate for
63 such office or makes reportable contributions to or expenditures
64 in support of or in opposition to a countywide ballot measure or a
65 ballot measure affecting part of a county, excepting a municipal
66 ballot measure, shall file all reports required by this section in
67 the office of the circuit clerk of the county in which the
68 election occurs. The circuit clerk shall forward copies of all
69 reports to the Office of the Secretary of State.

70 (4) Candidates for municipal office, and every political
71 committee which makes reportable contributions to or expenditures
72 in support of or in opposition to a candidate for such office, or
73 makes reportable contributions to or expenditures in support of or
74 in opposition to a municipal ballot measure shall file all reports
75 required by this article in the office of the municipal clerk of
76 the municipality in which the election occurs. The municipal

77 clerk shall forward copies of all reports to the Office of the
78 Secretary of State.

79 (5) The Secretary of State, the circuit clerks and the
80 municipal clerks shall make all reports received under this
81 subsection available for public inspection and copying and shall
82 preserve such reports for a period of five (5) years.

83 * * *

84 **SECTION 2.** Section 23-15-807, Mississippi Code of 1972, is
85 amended as follows:

86 23-15-807. (1) Each candidate or political committee shall
87 file reports of contributions and disbursements in accordance with
88 the provisions of this section. All candidates or political
89 committees required to report may terminate its obligation to
90 report only upon submitting a final report that it will no longer
91 receive any contributions or make any disbursement and that such
92 candidate or committee has no outstanding debts or obligations.
93 The candidate, treasurer or chief executive officer shall sign
94 each such report.

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

101 (a) In any calendar year during which there is a
102 regularly scheduled election, a preelection report, which shall be
103 filed no later than the seventh day before any election in which
104 such candidate or political committee has accepted contributions
105 or made expenditures and which shall be complete as of the tenth
106 day before such election;

107 (b) In 1987 and every fourth year thereafter, periodic
108 reports, which shall be filed no later than the tenth day after

109 April 30, May 31, June 30, September 30 and December 31, and which
110 shall be complete as of the last day of each period; and

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

115 (3) All candidates for judicial office as defined in Section
116 23-15-975, or their political committees, shall file in the year
117 in which they are to be elected, periodic reports which shall be
118 filed no later than the tenth day after April 30, May 31, June 30,
119 September 30 and December 31.

120 (4) Contents of reports. Each report under this article
121 shall disclose:

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

129 (b) The identification of:

130 (i) Each person or political committee who makes a
131 contribution to the reporting candidate or political committee
132 during the reporting period, whose contribution or contributions
133 within the calendar year have an aggregate amount or value in
134 excess of Two Hundred Dollars (\$200.00) together with the date and
135 amount of any such contribution;

136 (ii) Each person or organization, candidate or
137 political committee who receives an expenditure, payment or other
138 transfer from the reporting candidate, political committee or its
139 agent, employee, designee, contractor, consultant or other person
140 or persons acting in its behalf during the reporting period when
141 the expenditure, payment or other transfer to such person,

142 organization, candidate or political committee within the calendar
143 year have an aggregate value or amount in excess of Two Hundred
144 Dollars (\$200.00) together with the date and amount of such
145 expenditure;

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

148 (d) In addition to the contents of reports specified in
149 paragraphs (a), (b) and (c) of this subsection (4), each political
150 party shall disclose:

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

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

164 (5) The appropriate office specified in Section 23-15-805
165 must be in actual receipt of the reports specified in this article
166 by 5:00 p.m. on the dates specified in subsection (2) of this
167 section. If the date specified in subsection (2) of this section
168 shall fall on a weekend or legal holiday then the report shall be
169 due in the appropriate office at 5:00 p.m. on the first working
170 day before the date specified in subsection (2) of this section.
171 The reporting candidate or reporting political committee shall
172 ensure that the reports are delivered to the appropriate office by
173 the filing deadline. The Secretary of State may approve specific
174 means of electronic transmission of completed campaign finance

175 disclosure reports, which may include, but not be limited to,
176 transmission by electronic facsimile (FAX) devices.

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

185 (i) The name of the receiving candidate;
186 (ii) The name of the receiving candidate's
187 political committee, if any;
188 (iii) The office sought by the candidate;
189 (iv) The identification of the contributor;
190 (v) The date of receipt;
191 (vi) The amount of the contribution;
192 (vii) If the contribution is in-kind, a
193 description of the in-kind contribution; and
194 (viii) The signature of the candidate or the
195 treasurer or director of the candidate's political committee.

196 (b) The notification shall be in writing, and may be
197 transmitted by overnight mail, courier service, or other reliable
198 means, including electronic facsimile (FAX), but the candidate or
199 candidate's committee shall ensure that the notification shall in
200 fact be received in the appropriate office designated in Section
201 23-15-805 within forty-eight (48) hours of the contribution.

202 (7) (a) In addition to the information required to be
203 disclosed in subsection (4) of this section, candidates shall
204 disclose:

205 (i) The identity of any individual or entity from
206 which the candidate receives a loan or other extension of credit

207 for use in his campaign or in furtherance of any campaign
208 activities;

209 (ii) The identity of any individual or entity
210 which assumes, in whole or in part, such loan or other extension
211 of credit;

212 (iii) The identity of any individual or entity to
213 which such loan or other extension of credit has been assigned or
214 otherwise transferred, in whole or in part, by contract, purchase,
215 operation of law or otherwise;

216 (iv) The identity of all creditors, cosigners,
217 guarantors, assignees or other parties to such loan, extension of
218 credit, assumption, assignment or related transaction;

219 (v) How such loan or other extension of credit was
220 utilized; and

221 (vi) All details concerning repayment of the loan
222 or extension of credit, including, but not limited to, the time of
223 the repayments, the method of repayments, the amount of repayments
224 and sources of repayments and the identity of the individuals
225 involved in the repayment.

226 (b) Candidates shall also file certified copies of all
227 documents related to the loans, extensions of credit, assumptions,
228 assignments or transactions required to be reported or identified
229 by this subsection.

230 **SECTION 3.** Section 23-15-811, Mississippi Code of 1972, is
231 amended as follows:

232 23-15-811. (1) Any candidate or any other person who shall
233 willfully and deliberately and substantially violate the
234 provisions and prohibitions of this article shall be guilty of a
235 misdemeanor and upon conviction thereof shall be punished by a
236 fine in a sum not to exceed Three Thousand Dollars (\$3,000.00) or
237 imprisoned for not longer than six (6) months or by both fine and
238 imprisonment.

239 (2) In addition to the penalties provided in subsection (1)
240 of this section, any candidate or political committee which is
241 required to file a statement or report which fails to file such
242 statement or report on the date in which it is due may be
243 compelled to file such statement or report by an action in the
244 nature of a mandamus.

245 (3) No candidate shall be certified as nominated for
246 election or as elected to office unless and until he files all
247 reports required by this article due as of the date of
248 certification.

249 (4) No candidate who is elected to office shall receive any
250 salary or other remuneration for the office unless and until he
251 files all reports required by this article due as of the date such
252 salary or remuneration is payable.

253 (5) In the event that a candidate fails to timely file any
254 report required pursuant to this article but subsequently files a
255 report or reports containing all of the information required to be
256 reported by him as of the date on which the sanctions of
257 subsections (3) and (4) of this section would be applied to him,
258 such candidate shall not be subject to the sanctions of
259 subsections (3) and (4) of this section.

260 (6) If a candidate is charged with a violation of this
261 section, the violation shall be deemed to have been committed in
262 the county of residence of the candidate, and venue for any
263 criminal action brought under this section shall be only in that
264 county.

265 (7) No criminal action may be brought under this section
266 unless the action is first authorized by the State Board of
267 Election Commissioners.

268 **SECTION 4.** Section 23-15-813, Mississippi Code of 1972, is
269 amended as follows:

270 23-15-813. (1) In addition to any other penalty permitted
271 by law, the Secretary of State shall require any candidate or

272 political committee, as identified in Section 23-15-805(1), and
273 any other political committee registered with the Secretary of
274 State, who fails to file a campaign finance disclosure report as
275 required under Sections 23-15-801 through 23-15-813, or Sections
276 23-17-47 through 23-17-53, or who shall file a report which fails
277 to substantially comply with the requirements of Sections
278 23-15-801 through 23-15-813, or Sections 23-17-47 through
279 23-17-53, to be assessed a civil penalty as follows:

280 (a) Within five (5) calendar days after any deadline
281 for filing a report pursuant to Sections 23-15-801 through
282 23-15-813, or Sections 23-17-47 through 23-17-53, the Secretary of
283 State shall compile a list of those candidates and political
284 committees who have failed to file a report. The Secretary of
285 State shall provide each candidate or political committee, who has
286 failed to file a report, notice of the failure by first-class
287 mail.

288 (b) Beginning with the tenth calendar day after which
289 any report shall be due, the Secretary of State shall assess the
290 delinquent candidate and political committee a civil penalty of
291 Fifty Dollars (\$50.00) for each day or part of any day until a
292 valid report is delivered to the Secretary of State, up to a
293 maximum of ten (10) days. However, in the discretion of the
294 Secretary of State, the assessing of the fine may be waived in
295 whole or in part if the Secretary of State determines that
296 unforeseeable mitigating circumstances, such as the health of the
297 candidate, interfered with timely filing of a report. Failure of
298 a candidate or political committee to receive notice of failure to
299 file a report from the Secretary of State is not an unforeseeable
300 mitigating circumstance, and failure to receive the notice shall
301 not result in removal or reduction of any assessed civil penalty.

302 (c) Filing of the required report and payment of the
303 fine within ten (10) calendar days of notice by the Secretary of
304 State that a required statement has not been filed, constitutes

305 compliance with Sections 23-15-801 through 23-15-813, or Sections
306 23-17-47 through 23-17-53.

307 (d) Payment of the fine without filing the required
308 report does not in any way excuse or exempt any person required to
309 file from the filing requirements of Sections 23-15-801 through
310 23-15-813, and Sections 23-17-47 through 23-17-53.

311 (e) If any candidate or political committee is assessed
312 a civil penalty, and the penalty is not subsequently waived by the
313 Secretary of State, the candidate or political committee shall pay
314 the fine to the Secretary of State within ninety (90) days of the
315 date of the assessment of the fine. If, after one hundred twenty
316 (120) days of the assessment of the fine the payment for the
317 entire amount of the assessed fine has not been received by the
318 Secretary of State, the Secretary of State shall notify the
319 Attorney General of the delinquency, and the Attorney General
320 shall file, where necessary, a suit to compel payment of the civil
321 penalty.

322 (2) (a) Upon the sworn application, made within sixty (60)
323 calendar days of the date upon which the required report is due,
324 of a candidate or political committee against whom a civil penalty
325 has been assessed pursuant to subsection (1) of this section, the
326 Secretary of State shall forward the application to the State
327 Board of Election Commissioners. The State Board of Election
328 Commissioners shall appoint one or more hearing officers who shall
329 be former chancellors, circuit court judges, judges of the Court
330 of Appeals or justices of the Supreme Court, and who shall conduct
331 hearings held pursuant to this article. The hearing officer shall
332 fix a time and place for a hearing and shall cause a written
333 notice specifying the civil penalties that have been assessed
334 against the candidate or political committee and notice of the
335 time and place of the hearing to be served upon the candidate or
336 political committee at least twenty (20) calendar days before the
337 hearing date. If the application is made by a candidate, the

338 place of the hearing shall be located in the county of residence
339 of the candidate. The notice may be served by mailing a copy
340 thereof by certified mail, postage prepaid, to the last known
341 business address of the candidate or political committee.

342 (b) The hearing officer may issue subpoenas for the
343 attendance of witnesses and the production of books and papers at
344 the hearing. Process issued by the hearing officer shall extend
345 to all parts of the state and shall be served by any person
346 designated by the hearing officer for the service.

347 (c) The candidate or political committee has the right
348 to appear either personally, by counsel or both, to produce
349 witnesses or evidence in his behalf, to cross-examine witnesses
350 and to have subpoenas issued by the hearing officer.

351 (d) At the hearing, the hearing officer shall
352 administer oaths as may be necessary for the proper conduct of the
353 hearing. All hearings shall be conducted by the hearing officer,
354 who shall not be bound by strict rules of procedure or by the laws
355 of evidence in the conduct of the proceedings, but the
356 determination shall be based upon sufficient evidence to sustain
357 it. The scope of review at the hearing shall be limited to making
358 a determination of whether failure to file a required report was
359 due to an unforeseeable mitigating circumstance.

360 (e) Where, in any proceeding before the hearing
361 officer, any witness fails or refuses to attend upon a subpoena
362 issued by the commission, refuses to testify, or refuses to
363 produce any books and papers the production of which is called for
364 by a subpoena, the attendance of the witness, the giving of his
365 testimony or the production of the books and papers shall be
366 enforced by any court of competent jurisdiction of this state in
367 the manner provided for the enforcement of attendance and
368 testimony of witnesses in civil cases in the courts of this state.

369 (f) Within fifteen (15) calendar days after conclusion
370 of the hearing, the hearing officer shall reduce his or her

371 decision to writing and forward an attested true copy of the
372 decision to the last known business address of the candidate or
373 political committee by way of United States first-class, certified
374 mail, postage prepaid.

375 (3) (a) The right to appeal from the decision of the
376 hearing officer in an administrative hearing concerning the
377 assessment of civil penalties authorized pursuant to this section
378 is granted. The appeal shall be to the Circuit Court of Hinds
379 County and shall include a verbatim transcript of the testimony at
380 the hearing; however, if the appeal is being made by a candidate,
381 the appeal shall be to the circuit court of the county of
382 residence of the candidate. The appeal shall be taken within
383 thirty (30) calendar days after notice of the decision of
384 the * * * hearing officer. The appeal shall be perfected upon
385 filing notice of the appeal and by the prepayment of all costs,
386 including the cost of the preparation of the record of the
387 proceedings by the hearing officer, and the filing of a bond in
388 the sum of Two Hundred Dollars (\$200.00), conditioned that if the
389 decision of the hearing officer be affirmed by the court, the
390 candidate or political committee shall pay the costs of the appeal
391 and the action in court. If the decision is reversed by the
392 court, the Secretary of State shall pay the costs of the appeal
393 and the action in court.

394 (b) If there is an appeal, the appeal shall act as a
395 supersedeas. The court shall dispose of the appeal and enter its
396 decision promptly. The hearing on the appeal may be tried in
397 vacation, in the court's discretion. The scope of review of the
398 court shall be limited to a review of the record made before the
399 hearing officer to determine if the action of the hearing officer
400 is unlawful for the reason that it was:

401 (i) Not supported by substantial evidence;

402 (ii) Arbitrary or capricious;

403 (iii) Beyond the power of the hearing officer to
404 make; or

405 (iv) In violation of some statutory or
406 constitutional right of the appellant.

407 The decision of the court may be appealed to the Supreme
408 Court in the manner provided by law.

409 (4) If, after forty-five (45) calendar days of the date of
410 the administrative hearing procedure set forth in subsection (2)
411 of this section, the candidate or political committee identified
412 in subsection (1) of this section fails to pay the monetary civil
413 penalty imposed by the hearing officer, the Secretary of State
414 shall notify the Attorney General of the delinquency. The
415 Attorney General shall investigate the offense in accordance with
416 the provisions of this chapter, and where necessary, file suit to
417 compel payment of the unpaid civil penalty.

418 (5) If, after twenty (20) calendar days of the date upon
419 which a campaign finance disclosure report is due, a candidate or
420 political committee identified in subsection (1) of this section
421 shall not have filed a valid report with the Secretary of State,
422 the Secretary of State shall notify the Attorney General of those
423 candidates and political committees who have not filed a valid
424 report, and the Attorney General shall thereupon prosecute the
425 delinquent candidates and political committees.

426 **SECTION 5.** Section 97-13-15, Mississippi Code of 1972, is
427 amended as follows:

428 97-13-15. It shall be unlawful for any corporation,
429 incorporated company, incorporated association or labor union, by
430 whatever name it may be known, incorporated or organized under the
431 laws of this state, or doing business in this state, or for any
432 servant, agent, employee or officer thereof, to give, donate,
433 appropriate or furnish directly or indirectly, any money,
434 security, funds or property of such a corporation, incorporated
435 company, incorporated association or labor union in excess of Two

436 Thousand Dollars (\$2,000.00) per calendar year for the purpose of
437 aiding any political party or any candidate for any public office,
438 or any candidate for any nomination for any public office of any
439 political party, or to give, donate, appropriate or furnish,
440 directly or indirectly, any money, security, funds or property of
441 such a corporation, incorporated company, association or labor
442 union in excess of Two Thousand Dollars (\$2,000.00) to any
443 committee or person as a contribution to the expense of any
444 political party or any candidate, representative or committee of
445 any political party or candidate for nomination by any political
446 party, or any committee or other person acting in behalf of such
447 candidate. The limit of Two Thousand Dollars (\$2,000.00) for
448 contributions to political parties, candidates and committees or
449 other persons acting in behalf of such candidates shall be an
450 annual limitation applicable to each calendar year and shall not
451 apply to contributions made by political committees.

452 **SECTION 6.** Section 23-15-817, Mississippi Code of 1972, is
453 amended as follows:

454 23-15-817. The Secretary of State shall compile a list of
455 all candidates for the Legislature or any statewide office who
456 fail to file a campaign disclosure report by the dates specified
457 in Section 23-15-807(2); the list shall be disseminated to the
458 members of the Mississippi Press Association within two (2)
459 working days after such reports are due and made available to the
460 public.

461 **SECTION 7.** Section 23-15-1023, Mississippi Code of 1972,
462 which provides that judicial candidates shall disclose information
463 about certain loans, is repealed.

464 **SECTION 8.** The Attorney General of the State of Mississippi
465 shall submit this act, immediately upon approval by the Governor,
466 or upon approval by the Legislature subsequent to a veto, to the
467 Attorney General of the United States or to the United States
468 District Court for the District of Columbia in accordance with the

469 provisions of the Voting Rights Act of 1965, as amended and
470 extended.

471 **SECTION 9.** This act shall take effect and be in force from
472 and after the date it is effectuated under Section 5 of the Voting
473 Rights Act of 1965, as amended and extended.