

By: Senator(s) Williamson, Dawkins

To: Elections; Judiciary,
Division B

SENATE BILL NO. 2523

1 AN ACT TO MAKE IT UNLAWFUL FOR THE COMMISSIONER OF INSURANCE,
2 ANY CANDIDATE FOR COMMISSIONER OF INSURANCE, OR ANY EMPLOYEE OF
3 THE COMMISSIONER OF INSURANCE TO KNOWINGLY ACCEPT ANY GIFT, PASS,
4 CAMPAIGN CONTRIBUTION OR OTHER BENEFIT FROM ANY INSURANCE COMPANY
5 THAT COMES UNDER HIS JURISDICTION OR SUPERVISION; TO PROVIDE
6 CRIMINAL PENALTIES; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** (1) It shall be unlawful for the Commissioner of
9 Insurance, any candidate for Commissioner of Insurance, or any
10 employee of the Commissioner of Insurance to knowingly accept any
11 gift, pass, money, campaign contribution or any emolument or other
12 pecuniary benefit whatsoever, either directly or indirectly, from
13 any person interested as owner, agent or representative, or from
14 any person acting in any respect for such owner, agent or
15 representative of any insurance company that comes under the
16 jurisdiction or supervision of the Commissioner of Insurance. Any
17 person found guilty of violating the provisions of this subsection
18 shall immediately forfeit his or her office or position and shall
19 be fined not less than Five Thousand Dollars (\$5,000.00),
20 imprisoned in the State Penitentiary for not less than one (1)
21 year, or both.

22 (2) It shall be unlawful for any person interested as owner,
23 agent or representative, or any person acting in any respect for
24 such owner, agent or representative of any insurance company that
25 comes under the jurisdiction or supervision of the Commissioner of
26 Insurance to offer any gift, pass, money, campaign contribution or
27 any emolument or other pecuniary benefit whatsoever to the
28 Commissioner of Insurance, any candidate for Commissioner of
29 Insurance or any employee of the Commissioner of Insurance. Any

30 party found guilty of violating the provisions of this subsection
31 shall be fined not less than Five Thousand Dollars (\$5,000.00), or
32 imprisoned in the State Penitentiary for not less than one (1)
33 year, or both.

34 (3) For purposes of this section the term "emolument" shall
35 include salary, donations, contributions, loans, stock tips,
36 vacations, trips, honorarium, directorships or consulting posts.
37 Expenses associated with social occasions afforded public servants
38 shall not be deemed a gift, emolument or other pecuniary benefit
39 as defined in Section 25-4-103(k), Mississippi Code of 1972.

40 (4) For purposes of this section, a person who owns less
41 than one-half of one percent (1/2 of 1%) in stock, the value
42 thereof not to exceed Ten Thousand Dollars (\$10,000.00), of any
43 insurance company that is regulated by the Commissioner of
44 Insurance, or of any holding company of such insurance company, by
45 virtue of such ownership, shall not be deemed an owner, agent or
46 representative of such insurance company unless such person is
47 acting in any respect for or as an owner, agent or representative
48 of such insurance company.

49 **SECTION 2.** The Attorney General of the State of Mississippi
50 shall submit this act, immediately upon approval by the Governor,
51 or upon approval by the Legislature subsequent to a veto, to the
52 Attorney General of the United States or to the United States
53 District Court for the District of Columbia in accordance with the
54 provisions of the Voting Rights Act of 1965, as amended and
55 extended.

56 **SECTION 3.** This act shall take effect and be in force from
57 and after July 1, 2006, or the date it is effectuated under
58 Section 5 of the Voting Rights Act of 1965, as amended and
59 extended, whichever occurs later.