

By: Senator(s) Williamson, Dawkins

To: Elections; Judiciary,  
Division B

SENATE BILL NO. 2281

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 MONEY, CAMPAIGN CONTRIBUTION OR OTHER BENEFIT FROM ANY INSURANCE  
5 COMPANY THAT COMES UNDER HIS JURISDICTION OR SUPERVISION; TO  
6 PROVIDE 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, 2007, 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.