

By: Representative Snowden

To: Judiciary A;
Accountability, Efficiency,
Transparency

HOUSE BILL NO. 1453

1 AN ACT TO PROHIBIT A POLITICAL PARTY, POLITICAL COMMITTEE,
2 CANDIDATE FOR PUBLIC OFFICE OR ADVOCACY GROUP FROM SENDING
3 POLITICAL OR POLITICALLY RELATED ELECTRONIC MAIL OR ELECTRONIC
4 COMMUNICATION TO A PUBLIC EMPLOYEE; TO BRING FORWARD SECTION
5 23-15-871, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS COERCION OF
6 EMPLOYEE VOTES, FOR PURPOSES OF AMENDMENT; AND FOR RELATED
7 PURPOSES.

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

9 **SECTION 1.** (1) No political party, political committee,
10 candidate for public office or advocacy group, may send political
11 or politically related electronic mail or electronic communication
12 to any public employee's public electronic mail address. For
13 purposes of this subsection, the term "public employee" shall not
14 include an elected or appointed official or head of a state
15 agency, or county or municipal department.

16 (2) Any person violating the provisions of subsection (1) of
17 this section shall be subject to a civil fine of One Hundred
18 Dollars (\$100.00) for each political or politically related
19 electronic mail or electronic communication sent to any public
20 employee in violation of subsection (1) of this section.



21 **SECTION 2.** Section 23-15-871, Mississippi Code of 1972, is
22 brought forward as follows:

23 23-15-871. It shall be unlawful for any corporation or any
24 officer or employee thereof, or any member of a firm, or trustee
25 or any member of any association, or any other employer, to direct
26 or coerce, directly or indirectly, any employee to vote or not to
27 vote for any particular person or group of persons in any
28 election, or to discharge or to threaten to discharge any such
29 employee, or to increase or decrease the salary or wages of an
30 employee, or otherwise promote or demote him, because of his vote
31 or failure to vote for any particular candidate or group of
32 candidates; and likewise it shall be unlawful for any employer, or
33 employee having the authority to employ or discharge other
34 employees, to make any statement public or private, or to give out
35 or circulate any report or statement, calculated to intimidate or
36 coerce or otherwise influence any employee as to his vote, and
37 when any such statement has obtained circulation, it shall be the
38 duty of such employer to publicly repudiate it, in the absence of
39 which repudiation the employer shall be deemed by way of
40 ratification to have made it himself. Nor shall any employee be
41 requested, directed or permitted to canvass for or against any
42 candidate or render any other services for or against any
43 candidate or group of candidates, during any of the hours within
44 which the salary of said employee as an employee is being paid or
45 agreed to be paid; nor shall any such employee be allowed any



46 vacation or leave of absence at the expense of the employer to
47 render any service or services for or against any candidate or
48 group of candidates, or to take any active part in any election
49 campaign whatsoever; nor shall any employee at the expense, in
50 whole or in part, of any employer take any part whatever in any
51 election campaign, except the necessary time to cast his vote. The
52 prohibitions of this section shall apply to all state, state
53 district, county and county district officers, and to any board or
54 commission and the members thereof by whatever name designated and
55 whether elective or appointive, and to each and every one of those
56 employed by them or any of them. And no state, state district,
57 county or county district officer, or any employee of any of them
58 who directly or indirectly has the control, or in any way the
59 power of control, or who asserts or pretends that he has such
60 power, over the expenditure of any public funds in this state,
61 whatever the purpose or object of said expenditure may be, shall
62 state, suggest or intimate, publicly or privately, or in any
63 manner or form, that any such expenditure shall in any wise depend
64 upon or be influenced by the vote of any person, group of persons,
65 or community or group of communities, whether for or against any
66 candidate or group of candidates at any election. This section
67 and every part of it shall apply also to all federal officers,
68 agents, employees, boards and commissions by whatever name known
69 and to each and every one of those employed by them or any of



70 them, as to any interference by them or any of them, contrary to
71 the provisions of this chapter, in the elections of this state.

72 **SECTION 3.** This act shall take effect and be in force from
73 and after July 1, 2017.

