

By: Representatives Owen, Williamson

To: Accountability,  
Efficiency, Transparency

HOUSE BILL NO. 123

1 AN ACT TO PROHIBIT ELECTED AND APPOINTED STATE OFFICERS FROM  
2 VISUALLY OR AUDIBLY PARTICIPATING IN PUBLIC ADVERTISING THAT HAS  
3 BEEN FUNDED, IN WHOLE OR IN PART, WITH LEGISLATIVE APPROPRIATIONS;  
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** (1) Except as otherwise provided under this  
7 section, a person elected or appointed to any state office,  
8 agency, department, institution, board or commission may not  
9 visually or audibly participate in the making of any public  
10 advertisement, regardless of the purpose or intended audience of  
11 the advertisement, if any funds appropriated by the Legislature  
12 are used to defray the expenses, in whole or in part, of the  
13 advertisement.

14 (2) Participation in the making of a public advertisement  
15 prohibited under subsection (1) includes the following:

16 (a) The use of any still or motion visual images in  
17 which the elected or appointed state officer may be seen; and

18 (b) The use of any advertising medium that allows the  
19 elected or appointed state officer's voice to be heard, regardless



20 of whether or not a still or motion image of the state officer may  
21 be seen.

22 (3) For purposes of this section, the term "advertisement"  
23 includes any form of communication publicly promoting a product or  
24 service or intending to persuade an audience, including, but not  
25 necessarily limited to, television, radio, Internet, film,  
26 newspaper, periodical, direct mail or outdoor advertising.

27 (4) This section may not be construed to prohibit any  
28 elected or appointed officer from participating in the  
29 development, planning and implementation of any advertisement that  
30 has been funded, in whole or in part, by legislative  
31 appropriations if neither the image nor voice of the state officer  
32 are included in the advertisement as it is presented to the  
33 public.

34 **SECTION 2.** Section 1 of this act shall be codified as a new  
35 section in Chapter 1, Title 25, Mississippi Code of 1972.

36 **SECTION 3.** This act shall take effect and be in force from  
37 and after July 1, 2021.

