

By: Senator(s) Tate

To: Elections; Judiciary,
Division A

SENATE BILL NO. 2278

1 AN ACT TO CREATE NEW SECTION 23-15-823, MISSISSIPPI CODE OF
2 1972, TO REQUIRE A SOCIAL MEDIA COMPANY THAT RESTRICTS A CANDIDATE
3 OR ELECTED OFFICIAL TO FILE A REPORT WITH THE SECRETARY OF STATE;
4 TO DEFINE TERMS; TO REQUIRE THE MISSISSIPPI SECRETARY OF STATE TO
5 PROMULGATE RULES AND REGULATIONS TO PROVIDE FOR THE PRESERVATION
6 AND PUBLIC INSPECTIONS OF ANY REPORTS AS WELL AS A PROCEDURE FOR
7 AN ELECTED OFFICIAL TO ALLEGE A VIOLATION OF THIS SECTION; AND FOR
8 RELATED PURPOSES.

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

10 **SECTION 1.** The following shall be codified as Section
11 23-15-823, Mississippi Code of 1972:

12 23-15-823. (1) As used in this section, the following terms
13 have the meanings ascribed herein unless the context requires
14 otherwise:

15 (a) "Candidate" means an individual who seeks
16 nomination for election, or election, to any elective office and
17 has or intends to:

18 (i) Pay the assessment, file a written statement
19 and file a petition containing the signatures of the requisite
20 number of voters, if applicable, pursuant to Sections 23-15-297
21 and 23-15-299; or



22 (ii) Designate a principal campaign committee
23 pursuant to 52 USC Section 30102(e) and 11 C.F.R. Section 101.1.

24 (b) "Elected official" means a person elected to any
25 elective office.

26 (c) "Social media platform" means any website and/or
27 application with the primary purpose of communication,
28 collaboration, social interaction, and sharing of user-generated
29 content through personalized web profiles. "Social media
30 platform" does not include electronic mail, short message service,
31 or other similar means of communication.

32 (2) When a candidate or elected official has been restricted
33 from a social media platform, the entity which operates and/or
34 maintains the social media platform, or its successor entities,
35 shall file a report with the Mississippi Secretary of State
36 disclosing this action, on a form as prescribed by the Secretary,
37 within three (3) business days of the restriction occurring.

38 (3) When an entity which operates and/or maintains the
39 social media platform indicates a good-faith effort has been made
40 to submit the information required, any record or report shall be
41 considered in compliance with this section.

42 (4) The Mississippi Secretary of State shall:

43 (a) Promulgate rules and regulations regarding the
44 administration of this section to:

45 (i) Define a restriction for purposes of this
46 section;



47 (ii) Provide for the preservation and public
48 inspection of the reports filed by an entity under this section;
49 and

50 (iii) Provide a process by which candidates or
51 elected officials may allege a violation of this section; and

52 (b) Provide notice of the rules and regulations
53 promulgated under this section to any entity which operates and/or
54 maintains a social media platform and is registered to do business
55 in the state.

56 **SECTION 2.** This act shall take effect and be in force from
57 and after July 1, 2023.

