

By: Representative Steverson

To: Apportionment and
Elections

HOUSE BILL NO. 144

1 AN ACT TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ANY CANDIDATE WHO FILES A TERMINATION REPORT WHILE
3 CAMPAIGNING BEFORE AN ELECTION SHALL BE DISQUALIFIED FROM THE
4 OFFICE HE OR SHE SOUGHT, AND HIS OR HER NAME SHALL BE REMOVED FROM
5 THE BALLOT; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 23-15-807, Mississippi Code of 1972, is
8 amended as follows:

9 23-15-807. (a) Each candidate or political committee shall
10 file reports of contributions and disbursements in accordance with
11 the provisions of this section. All candidates or political
12 committees required to report such contributions and disbursements
13 may terminate the obligation to report only upon submitting a
14 final report that contributions will no longer be received or
15 disbursements made and that the candidate or committee has no
16 outstanding debts or obligations. The candidate, treasurer or
17 chief executive officer shall sign the report. Any candidate who
18 files a termination report while campaigning before an election
19 shall be disqualified from the office he or she sought, and his or



20 her name shall be removed from the ballot. The Secretary of State
21 shall ensure that no candidate continues to campaign after he or
22 she has filed a termination report.

23 (b) Candidates seeking election, or nomination for election,
24 and political committees making expenditures to influence or
25 attempt to influence voters for or against the nomination for
26 election of one or more candidates or balloted measures at such
27 election, shall file the following reports:

28 (i) In any calendar year during which there is a
29 regularly scheduled election, a pre-election report shall be filed
30 no later than the seventh day before any election in which the
31 candidate or political committee has accepted contributions or
32 made expenditures and shall be completed as of the tenth day
33 before the election;

34 (ii) In 1987 and every fourth year thereafter, periodic
35 reports shall be filed no later than the tenth day after April 30,
36 May 31, June 30, September 30 and December 31, and shall be
37 completed as of the last day of each period;

38 (iii) In any calendar years except 1987 and except
39 every fourth year thereafter, a report covering the calendar year
40 shall be filed no later than January 31 of the following calendar
41 year; and

42 (iv) Except as otherwise provided in the requirements
43 of paragraph (i) of this subsection (b), unopposed candidates are
44 not required to file pre-election reports but must file all other



45 reports required by paragraphs (ii) and (iii) of this subsection
46 (b).

47 (c) All candidates for judicial office as defined in Section
48 23-15-975, or their political committees, shall file periodic
49 reports in the year in which they are to be elected no later than
50 the tenth day after April 30, May 31, June 30, September 30 and
51 December 31. Candidates for judicial office shall not be required
52 to file an annual report during an election year, but shall file
53 an annual report in all other years.

54 (d) Each report under this article shall disclose:

55 (i) For the reporting period and the calendar year, the
56 total amount of all contributions and the total amount of all
57 expenditures of the candidate or reporting committee, including
58 those required to be identified pursuant to paragraph (ii) of this
59 subsection (d) as well as the total of all other contributions and
60 expenditures during the calendar year. The reports shall be
61 cumulative during the calendar year to which they relate;

62 (ii) The identification of:

63 1. Each person or political committee who makes a
64 contribution to the reporting candidate or political committee
65 during the reporting period, whose contribution or contributions
66 within the calendar year have an aggregate amount or value in
67 excess of Two Hundred Dollars (\$200.00) together with the date and
68 amount of any such contribution;



69 2. Each person or organization, candidate or
70 political committee who receives an expenditure, payment or other
71 transfer from the reporting candidate, political committee or its
72 agent, employee, designee, contractor, consultant or other person
73 or persons acting in its behalf during the reporting period when
74 the expenditure, payment or other transfer to the person,
75 organization, candidate or political committee within the calendar
76 year have an aggregate value or amount in excess of Two Hundred
77 Dollars (\$200.00) together with the date and amount of the
78 expenditure;

79 (iii) The total amount of cash on hand of each
80 reporting candidate and reporting political committee;

81 (iv) In addition to the contents of reports specified
82 in paragraphs (i), (ii) and (iii) of this subsection (d), each
83 political party shall disclose:

84 1. Each person or political committee who makes a
85 contribution to a political party during the reporting period and
86 whose contribution or contributions to a political party within
87 the calendar year have an aggregate amount or value in excess of
88 Two Hundred Dollars (\$200.00), together with the date and amount
89 of the contribution;

90 2. Each person or organization who receives an
91 expenditure or expenditures by a political party during the
92 reporting period when the expenditure or expenditures to the
93 person or organization within the calendar year have an aggregate



94 value or amount in excess of Two Hundred Dollars (\$200.00),
95 together with the date and amount of the expenditure;

96 (v) Disclosure required under this section of an
97 expenditure to a credit card issuer, financial institution or
98 business allowing payments and money transfers to be made over the
99 Internet must include, by way of detail or separate entry, the
100 amount of funds passing to each person, business entity or
101 organization receiving funds from the expenditure.

102 (e) The appropriate office specified in Section 23-15-805
103 must be in actual receipt of the reports specified in this article
104 by 5:00 p.m. on the dates specified in subsection (b) of this
105 section. If the date specified in subsection (b) of this section
106 shall fall on a weekend or legal holiday then the report shall be
107 due in the appropriate office at 5:00 p.m. on the first working
108 day before the date specified in subsection (b) of this section.
109 The reporting candidate or reporting political committee shall
110 ensure that the reports are delivered to the appropriate office by
111 the filing deadline. The Secretary of State may approve specific
112 means of electronic transmission of completed campaign finance
113 disclosure reports, which may include, but not be limited to,
114 transmission by electronic facsimile (FAX) devices.

115 (f) (i) If any contribution of more than Two Hundred
116 Dollars (\$200.00) is received by a candidate or candidate's
117 political committee after the tenth day, but more than forty-eight
118 (48) hours before 12:01 a.m. of the day of the election, the



119 candidate or political committee shall notify the appropriate
120 office designated in Section 23-15-805, within forty-eight (48)
121 hours of receipt of the contribution. The notification shall
122 include:

- 123 1. The name of the receiving candidate;
- 124 2. The name of the receiving candidate's political
125 committee, if any;
- 126 3. The office sought by the candidate;
- 127 4. The identification of the contributor;
- 128 5. The date of receipt;
- 129 6. The amount of the contribution;
- 130 7. If the contribution is in-kind, a description
131 of the in-kind contribution; and
- 132 8. The signature of the candidate or the treasurer
133 or chair of the candidate's political organization.

134 (ii) The notification shall be in writing, and may be
135 transmitted by overnight mail, courier service, or other reliable
136 means, including electronic facsimile (FAX), but the candidate or
137 candidate's committee shall ensure that the notification shall in
138 fact be received in the appropriate office designated in Section
139 23-15-805 within forty-eight (48) hours of the contribution.

140 **SECTION 2.** This act shall take effect and be in force from
141 and after July 1, 2024.

