

By: Representative Evans

To: Apportionment and
Elections; Appropriations A

HOUSE BILL NO. 850

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, 2024.

