

By: Representative Powell

To: Apportionment and  
Elections

HOUSE BILL NO. 1504

1 AN ACT TO REVISE THE CAMPAIGN FINANCE LAWS; TO AMEND SECTION  
2 23-15-801, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS FOR  
3 CANDIDATE COMMITTEE AND INDEPENDENT EXPENDITURE-ONLY COMMITTEE; TO  
4 AMEND SECTION 23-15-803, MISSISSIPPI CODE OF 1972, TO PROVIDE THE  
5 CONTENT OF THE STATEMENT OF ORGANIZATION FOR A CANDIDATE  
6 COMMITTEE; TO REQUIRE BOTH CANDIDATE COMMITTEES AND POLITICAL  
7 COMMITTEES TO KEEP DETAILED ACCOUNTS OF FUNDS RECEIVED OR EXPENDED  
8 BY THE COMMITTEE; TO PROVIDE WHEN THOSE ACCOUNTS MAY BE VIEWED; TO  
9 AMEND SECTION 23-15-805, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT  
10 FROM AND AFTER JANUARY 1, 2027, CANDIDATE COMMITTEES AND POLITICAL  
11 COMMITTEES SHALL FILE ALL REPORTS THROUGH AN ELECTRONIC CAMPAIGN  
12 FINANCE FILING SYSTEM; TO AMEND SECTION 23-15-807, MISSISSIPPI  
13 CODE OF 1972, TO REVISE THE TERMINATION REPORT; TO CLARIFY WHEN  
14 PERIODIC REPORTS SHALL BE FILED; TO PROVIDE WHEN MUNICIPAL  
15 CANDIDATES SHALL FILE PERIODIC REPORTS; TO PROVIDE THAT FROM AND  
16 AFTER JANUARY 1, 2027, THE NOTIFICATION REQUIRED OF CERTAIN  
17 CONTRIBUTIONS RECEIVED SHALL BE IN WRITING AND MAY BE TRANSMITTED  
18 THROUGH THE ELECTRONIC CAMPAIGN FINANCE FILING SYSTEM; TO AMEND  
19 SECTION 23-15-809, MISSISSIPPI CODE OF 1972, TO PROVIDE PENALTIES  
20 FOR CANDIDATES AND INDEPENDENT EXPENDITURE-ONLY COMMITTEES THAT  
21 RECEIVE CONTRIBUTIONS IN VIOLATION OF CORPORATE CONTRIBUTION  
22 LIMITS; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE OF 1972, TO  
23 PROVIDE THAT ANY PERSON OR ENTITY THAT IS REQUIRED TO FILE A  
24 CAMPAIGN FINANCE REPORT AND IS MORE THAN TWENTY DAYS DELINQUENT  
25 MAY NOT RECEIVE ANY CONTRIBUTIONS OR MAKE EXPENDITURES UNTIL THE  
26 REQUIRED REPORT IS FILED; TO PROVIDE FINES FOR VIOLATIONS; TO  
27 AMEND SECTION 23-15-813, MISSISSIPPI CODE OF 1972, TO REVISE THE  
28 PENALTIES FOR FAILURE TO FILE A CAMPAIGN FINANCE DISCLOSURE  
29 REPORT; TO PROVIDE THAT SUCH FINES SHALL APPLY TO FAILURE TO FILE  
30 A PRE-ELECTION REPORT; TO PROVIDE AN INCREASE IN THE FINE IF THE  
31 CANDIDATE COMMITTEE OR POLITICAL COMMITTEE HAS BEEN PREVIOUSLY  
32 FINE IN THE LAST FOUR YEARS; TO AMEND SECTION 23-15-821,  
33 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, UPON FILING A  
34 TERMINATION REPORT, CAMPAIGN CONTRIBUTIONS MAY NOT BE MAINTAINED



35 IN A CAMPAIGN ACCOUNT; TO REMOVE THE PROVISION THAT ALLOWED ANY  
36 CONTRIBUTIONS ACCRUING TO A CANDIDATE'S OR OFFICEHOLDER'S CAMPAIGN  
37 ACCOUNT BEFORE JANUARY 1, 2018, TO BE EXEMPT FROM THE REQUIREMENTS  
38 OF THE SECTION; TO CREATE NEW SECTION 23-15-821.1, MISSISSIPPI  
39 CODE OF 1972, TO ESTABLISH CORPORATE CONTRIBUTION LIMITS; TO  
40 PROVIDE CIVIL PENALTIES FOR VIOLATING THE CORPORATE CONTRIBUTION  
41 LIMITS; TO CREATE NEW SECTION 23-15-823, MISSISSIPPI CODE OF 1972,  
42 TO PROHIBIT POLITICAL COMMITTEES FROM TRANSFERRING MONEY TO OTHER  
43 POLITICAL COMMITTEES; TO PROHIBIT CANDIDATES OR THEIR  
44 REPRESENTATIVES FROM USING MORE THAN ONE POLITICAL COMMITTEE; TO  
45 PROHIBIT PRE-CHECKED OR PRE-MARKED BOXES FOR CONTRIBUTION AMOUNTS  
46 OR AUTHORIZATIONS FOR RECURRING CONTRIBUTIONS ON ANY COMMUNICATION  
47 THAT REQUESTS A CONTRIBUTION; TO CREATE NEW SECTION 23-15-825,  
48 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, FROM AND AFTER JANUARY  
49 1, 2027, THE SECRETARY OF STATE SHALL RANDOMLY SELECT CERTAIN  
50 CAMPAIGN ACCOUNTS FOR AUDIT; TO AMEND SECTION 23-15-897,  
51 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PUBLICATION OF  
52 CAMPAIGN MATERIALS SHALL BE PRINTED IN A MANNER IN WHICH THE  
53 REQUIRED LANGUAGE IS EASY TO READ; TO PROVIDE A PENALTY FOR  
54 FAILURE TO COMPLY WITH THIS PROVISION; TO CREATE NEW SECTION  
55 97-13-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO  
56 DISSEMINATES A DEEP FAKE SHALL BE GUILTY OF A CRIME IF THE PERSON  
57 KNOWS OR HAD REASON TO KNOW THAT THE INFORMATION BEING  
58 DISSEMINATED IS A DEEP FAKE AND THE DISSEMINATION OCCURS WITHIN  
59 NINETY DAYS OF AN ELECTION, WAS DISSEMINATED WITHOUT THE CONSENT  
60 OF THE DEPICTED INDIVIDUAL, AND WAS DISSEMINATED WITH THE INTENT  
61 TO INJURE A CANDIDATE, INFLUENCE THE RESULT OF AN ELECTION OR  
62 DETER ANY PERSON FROM VOTING; TO PROVIDE DEFINITIONS; TO PROVIDE  
63 THE SENTENCING FOR THE CRIME; TO PROVIDE A CAUSE OF ACTION FOR  
64 INJUNCTIVE RELIEF IN CERTAIN SITUATIONS; TO PROVIDE DEFENSES TO  
65 THE CRIME; TO BRING FORWARD SECTIONS 23-15-815, 23-15-817,  
66 23-15-819 AND 25-61-12, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE  
67 OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

69 **SECTION 1.** Section 23-15-801, Mississippi Code of 1972, is  
70 amended as follows:

71 23-15-801. (a) "Election" means a general, special, primary  
72 or runoff election.

73 (b) "Candidate" means an individual who seeks nomination for  
74 election, or election, to any elective office other than a federal  
75 elective office. For purposes of this article, an individual  
76 shall be deemed to seek nomination for election, or election:



77 (i) If the individual has received contributions \* \* \*  
78 or has made \* \* \* an expenditure or for a candidate for the  
79 Legislature or any statewide or state district office, by the  
80 qualifying deadlines specified in Sections 23-15-299 and  
81 23-15-977, whichever occurs first; or

82 (ii) If the individual has given his or her consent to  
83 another person to receive contributions or make expenditures on  
84 behalf of the individual and if the other person has  
85 received \* \* \* a contribution during a calendar year, or has  
86 made \* \* \* an expenditure during a calendar year.

87 (c) "Political committee" means any committee, party, club,  
88 association, political action committee, \* \* \* independent  
89 expenditure-only committee, or other groups of persons or  
90 affiliated organizations that receives \* \* \* a contribution during  
91 a calendar year or that makes \* \* \* an expenditure during a  
92 calendar year for the purpose of influencing or attempting to  
93 influence the action of voters for or against the nomination for  
94 election, or election, of one or more candidates, or balloted  
95 measures. Political committee shall, in addition, include each  
96 political party registered with the Secretary of State.

97 (d) "Affiliated organization" means any organization that is  
98 not a political committee, but that directly or indirectly  
99 establishes, administers or financially supports a political  
100 committee.



101 (e) (i) "Contribution" shall include any gift,  
102 subscription, loan, advance or deposit of money or anything of  
103 value made by any person or political committee for the purpose of  
104 influencing any election for elective office or balloted measure;

105 (ii) "Contribution" shall not include the value of  
106 services provided without compensation by any individual who  
107 volunteers on behalf of a candidate or political committee; or the  
108 cost of any food or beverage for use in any candidate's campaign  
109 or for use by or on behalf of any political committee of a  
110 political party;

111 (iii) "Contribution to a political party" includes any  
112 gift, subscription, loan, advance or deposit of money or anything  
113 of value made by any person, political committee, or other  
114 organization to a political party and to any committee,  
115 subcommittee, campaign committee, political committee and other  
116 groups of persons and affiliated organizations of the political  
117 party;

118 (iv) "Contribution to a political party" shall not  
119 include the value of services provided without compensation by any  
120 individual who volunteers on behalf of a political party or a  
121 candidate of a political party.

122 (f) (i) "Expenditure" shall include any purchase, payment,  
123 distribution, loan, advance, deposit, gift of money or anything of  
124 value, made by any person or political committee for the purpose  
125 of influencing any balloted measure or election for elective



126 office; and a written contract, promise, or agreement to make an  
127 expenditure;

128 (ii) "Expenditure" shall not include any news story,  
129 commentary or editorial distributed through the facilities of any  
130 broadcasting station, newspaper, magazine, or other periodical  
131 publication, unless the facilities are owned or controlled by any  
132 political party, political committee, or candidate; or nonpartisan  
133 activity designed to encourage individuals to vote or to register  
134 to vote;

135 (iii) "Expenditure by a political party" includes 1.  
136 any purchase, payment, distribution, loan, advance, deposit, gift  
137 of money or anything of value, made by any political party and by  
138 any contractor, subcontractor, agent, and consultant to the  
139 political party; and 2. a written contract, promise, or agreement  
140 to make such an expenditure.

141 (g) The term "identification" shall mean:

142 (i) In the case of any individual, the name, the  
143 mailing address, and the occupation of such individual, as well as  
144 the name of his or her employer; and

145 (ii) In the case of any other person, the full name and  
146 address of the person.

147 (h) The term "political party" shall mean an association,  
148 committee or organization which nominates a candidate for election  
149 to any elective office whose name appears on the election ballot  
150 as the candidate of the association, committee or organization.



151 (i) The term "person" shall mean any individual, family,  
152 firm, corporation, partnership, association or other legal entity.

153 (j) The term "independent expenditure" shall mean an  
154 expenditure by a person expressly advocating the election or  
155 defeat of a clearly identified candidate that is made without  
156 cooperation or consultation with any candidate or any authorized  
157 committee or agent of the candidate, and that is not made in  
158 concert with or at the request or suggestion of any candidate or  
159 any authorized committee or agent of the candidate.

160 (k) The term "clearly identified" shall mean that:

161 (i) The name of the candidate involved appears; or

162 (ii) A photograph or drawing of the candidate appears;  
163 or

164 (iii) The identity of the candidate is apparent by  
165 unambiguous reference.

166 (l) "Candidate committee" means a committee established by a  
167 candidate for the purpose of receiving contributions and making  
168 expenditures to obtain elected office.

169 (m) "Independent expenditure-only committee" means a  
170 political committee that certifies in its statement of  
171 organization that it will not make any contributions, including  
172 in-kind contributions, to any candidate committee.

173 **SECTION 2.** Section 23-15-803, Mississippi Code of 1972, is  
174 amended as follows:



175           23-15-803. (1) Each candidate or political committee shall  
176 file a statement of organization which must be received by the  
177 Secretary of State \* \* \* before the candidate or political  
178 committee may receive contributions or make expenditures. All  
179 candidates shall be required to establish a candidate committee  
180 and shall report all contributions and expenditures made seeking  
181 elective office through that candidate committee. A candidate may  
182 be the sole member and treasurer of a candidate committee.

183           (2) The content of the statement of organization of a  
184 candidate committee shall include:

185                   (a) The name, address, officers and members of the  
186 committee;

187                   (b) The designation of a chair of the organization and  
188 a custodian of the financial books, records and accounts of the  
189 organization, who shall be designated treasurer and who shall  
190 reside in Mississippi;

191                   (c) The name, address, office sought and party  
192 affiliation of the candidate; and

193                   (d) The name of the Federal Deposit Insurance  
194 Corporation (FDIC) insured financial institution(s) that the  
195 candidate committee has campaign finance monies located.

196           ( \* \* \*3) The content of the statement of organization of a  
197 political committee shall include:

198                   (a) The name, address, officers, and members of the  
199 committee;



200 (b) The designation of a chair of the organization and  
201 a custodian of the financial books, records and accounts of the  
202 organization, who shall be designated treasurer and who shall  
203 reside in Mississippi; \* \* \*

204 (c) \* \* \* The name of the FDIC insured financial  
205 institution(s) that the political committee has campaign finance  
206 monies located; and

207 (d) The election cycles, as provided in Section  
208 23-15-807, in which the political committee may be making  
209 expenditures. A political committee may amend its statement of  
210 organization to add or remove election cycles in which it may be  
211 making expenditures. However, a political committee shall not  
212 make an expenditure in an election cycle that it has not  
213 previously provided for on its statement of organization until an  
214 amended statement of organization is filed with the Secretary of  
215 State. A political committee shall file all periodic reports  
216 required for the election cycle(s) that it has designated on its  
217 statement of organization.

218 ( \* \* \*4) Any change in information previously submitted in  
219 a statement of organization shall be reported \* \* \* within thirty  
220 (30) days of the change occurring or on the next regularly  
221 scheduled report, whichever occurs first.

222 (5) Both candidate committees and political committees shall  
223 keep detailed accounts of any funds received or expended by the





224 committee. These records may be reviewed before, during, or after  
225 the election when:

226 (a) A sworn complaint, under penalty of perjury, of  
227 violations of campaign finance requirements that sets forth with  
228 specificity any violations is submitted to the Mississippi Ethics  
229 Commission, and the Mississippi Ethics Commission finds that the  
230 detailed accounts should be reviewed based on the sworn complaint;  
231 or

232 (b) In reviewing any campaign finance filings, the  
233 Secretary of State discovers substantial discrepancies in reported  
234 amounts. The Secretary of State shall submit any discovered  
235 substantial discrepancies to the Mississippi Ethics Commission,  
236 which shall determine whether the detailed accounts should be  
237 reviewed based on the submitted substantial discrepancies. If the  
238 Mississippi Ethics Commission determines that a review of the  
239 detailed accounts is warranted, then the Mississippi Ethics  
240 Commission shall inform the State Auditor, who shall then perform  
241 a review, unless the candidate in question is the State Auditor or  
242 an opponent of the State Auditor, in which case the Mississippi  
243 Ethics Commission shall appoint a certified accountant in good  
244 standing with the Mississippi State Board of Public Accountancy.

245 ( \* \* \*6) In addition to any other penalties provided by  
246 law, the \* \* \* Secretary of State shall impose administrative  
247 penalties against any political committee that fails to \* \* \* file  
248 a statement of organization in an amount not to exceed \* \* \* One



249 Thousand (\$1,000.00). The Secretary of State shall impose  
250 administrative penalties against any candidate committee that  
251 fails to file a statement of organization in an amount not to  
252 exceed Five Hundred Dollars (\$500.00).

253 (7) The notice, hearing and appeals provisions of Section  
254 23-15-813 shall apply to any action taken pursuant to this  
255 subsection ( \* \* \* 6 ). The \* \* \* Secretary of State may pursue  
256 judicial enforcement of any penalties issued pursuant to this  
257 section.

258 (8) The contact information provided on any statement of  
259 organization shall not be subject to public disclosure.

260 **SECTION 3.** Section 23-15-805, Mississippi Code of 1972, is  
261 amended as follows:

262 **[From July 1, 2024, until January 1, 2027, this section shall**  
263 **read as follows:]**

264 23-15-805. (a) Candidates for state, state district, and  
265 legislative district offices, and every political committee, which  
266 makes reportable contributions to or expenditures in support of or  
267 in opposition to a candidate for any such office or makes  
268 reportable contributions to or expenditures in support of or in  
269 opposition to a statewide ballot measure, shall file all reports  
270 required under this article with the Office of the Secretary of  
271 State.

272 (b) Candidates for county or county district office, and  
273 every political committee which makes reportable contributions to



274 or expenditures in support of or in opposition to a candidate for  
275 such office or makes reportable contributions to or expenditures  
276 in support of or in opposition to a countywide ballot measure or a  
277 ballot measure affecting part of a county, excepting a municipal  
278 ballot measure, shall file all reports required by this section in  
279 the office of the circuit clerk of the county in which the  
280 election occurs, or directly to the Office of the Secretary of  
281 State via facsimile, electronic mail, postal mail or hand  
282 delivery. The circuit clerk shall forward copies of all reports  
283 to the Office of the Secretary of State.

284 (c) Candidates for municipal office, and every political  
285 committee which makes reportable contributions to or expenditures  
286 in support of or in opposition to a candidate for such office, or  
287 makes reportable contributions to or expenditures in support of or  
288 in opposition to a municipal ballot measure shall file all reports  
289 required by this article in the office of the municipal clerk of  
290 the municipality in which the election occurs, or directly to the  
291 Office of the Secretary of State via facsimile, electronic mail,  
292 postal mail or hand delivery. The municipal clerk shall forward  
293 copies of all reports to the Office of the Secretary of State.

294 (d) The Secretary of State, the circuit clerks and the  
295 municipal clerks shall make all reports received under this  
296 subsection available for public inspection and copying and shall  
297 preserve the reports for a period of five (5) years.



298 [From and after January 1, 2027, this section shall read as  
299 follows:]

300 23-15-805. (a) Candidate committees shall file all reports  
301 required under this article with the Office of the Secretary of  
302 State through an electronic campaign finance filing system.  
303 Political committees shall file all reports required by this  
304 section in accordance with the election cycle they provided on  
305 their statement of organization. A political committee that  
306 begins making expenditures in an election cycle shall file all  
307 required reports for that election cycle unless they file a  
308 termination report.

309 (b) The Secretary of State shall make all reports received  
310 under this subsection available for public inspection and copying  
311 and shall preserve the reports for a period of five (5) years.

312 **SECTION 4.** Section 23-15-807, Mississippi Code of 1972, is  
313 amended as follows:

314 23-15-807. (a) Each candidate committee or political  
315 committee shall file reports of contributions and disbursements in  
316 accordance with the provisions of this section. All candidates or  
317 political committees required to report such contributions and  
318 disbursements may terminate the obligation to report only upon  
319 submitting a \* \* \* termination report that \* \* \* the committee has  
320 no outstanding debts or obligations, has disbursed all remaining  
321 funds in accordance with Section 23-15-821(4), and will cease to



322 receive contributions or make disbursements. The candidate,  
323 treasurer or chief executive officer shall sign the report.

324 (b) \* \* \* Candidate committees for seeking election, or  
325 nomination for election, and political committees \* \* \* shall file  
326 the following reports:

327 (i) In any calendar year during which there is a  
328 regularly scheduled election, a pre-election report shall be filed  
329 no later than the seventh day before any election in which the  
330 candidate or political committee has accepted contributions or  
331 made expenditures and shall be completed as of the tenth day  
332 before the election;

333 (ii) In \* \* \* the year in which the Governor is  
334 elected, which shall be designated as the gubernatorial election  
335 cycle on the statement of organization required by 23-15-803,  
336 periodic reports shall be filed no later than the tenth day after  
337 April 30, May 31, June 30, September 30 and December 31, and shall  
338 be completed as of the last day of each period;

339 (iii) \* \* \* A report covering the calendar year shall  
340 be filed no later than January 31 of the following calendar year  
341 except that no committee shall be required to file an annual  
342 report for a calendar year in which they are required to file  
343 periodic reports; and

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



347 reports required by paragraphs (ii) and (iii) of this subsection  
348 (b).

349 (c) All candidates for judicial office as defined in Section  
350 23-15-975 \* \* \* shall file periodic reports in the year in which  
351 they are to be elected, which shall be designated as the judicial  
352 election cycle on the statement of organization required by  
353 Section 23-15-803, no later than the tenth day after April 30, May  
354 31, June 30, September 30 and December 31. \* \* \* All candidate  
355 committees for judicial \* \* \* candidates shall \* \* \* file an  
356 annual report \* \* \* as provided in subsection (b)(iii) of this  
357 section.

358 (d) All candidate committees for candidates for municipal  
359 office in 2025 and every fourth year thereafter, which shall be  
360 designated as the municipal election cycle on the statement of  
361 organization required by Section 23-15-805, shall file periodic  
362 reports no later than the tenth day after the February 28, April  
363 30 and December 31, and such reports shall be completed as of the  
364 last day of each period. All candidate committees for municipal  
365 candidates shall file an annual report in accordance with  
366 subsection (b)(iii) of this section.

367 ( \* \* \*e) Each report under this article shall disclose:

368 (i) For the reporting period and the calendar year, the  
369 total amount of all contributions and the total amount of all  
370 expenditures of the candidate or reporting committee, including  
371 those required to be identified pursuant to paragraph (ii) of this



372 subsection ( \* \* \*e) as well as the total of all other  
373 contributions and expenditures during the calendar year. The  
374 reports shall be cumulative during the calendar year to which they  
375 relate;

376 (ii) The identification of:

377 1. Each person, candidate committee or political  
378 committee who makes a contribution to the reporting candidate  
379 committee or political committee during the reporting period,  
380 whose contribution or contributions within the calendar year have  
381 an aggregate amount or value in excess of Two Hundred Dollars  
382 (\$200.00) together with the date and amount of any such  
383 contribution;

384 2. Each person or organization, candidate  
385 committee, candidate or political committee who receives an  
386 expenditure, payment or other transfer from the reporting  
387 candidate committee, political committee or its agent, employee,  
388 designee, contractor, consultant or other person or persons acting  
389 in its behalf during the reporting period when the expenditure,  
390 payment or other transfer to the person, organization, candidate  
391 or political committee within the calendar year have an aggregate  
392 value or amount in excess of Two Hundred Dollars (\$200.00)  
393 together with the date, purpose and amount of the expenditure;

394 (iii) The total amount of cash on hand of each  
395 reporting candidate and reporting candidate and reporting  
396 political committee;



397           (iv) Any interest, dividends or income earned by  
398 investments of monies held by a campaign committee or political  
399 committee shall not be reported as a contribution but shall be  
400 reported as a separate category;

401           ( \* \* \*y) In addition to the contents of reports  
402 specified in paragraphs (i), (ii) \* \* \*, (iii) and (iv) of this  
403 subsection (d), each political party shall disclose:

404                   1. Each person, candidate committee or political  
405 committee who makes a contribution to a political party during the  
406 reporting period and whose contribution or contributions to a  
407 political party within the calendar year have an aggregate amount  
408 or value in excess of Two Hundred Dollars (\$200.00), together with  
409 the date and amount of the contribution;

410                   2. Each person, candidate committee or  
411 organization who receives an expenditure or expenditures by a  
412 political party during the reporting period when the expenditure  
413 or expenditures to the person, candidate committee or organization  
414 within the calendar year have an aggregate value or amount in  
415 excess of Two Hundred Dollars (\$200.00), together with the date  
416 and amount of the expenditure;

417           ( \* \* \*vi) Disclosure required under this section of an  
418 expenditure to a credit card issuer, financial institution or  
419 business allowing payments and money transfers to be made over the  
420 Internet must include, by way of detail or separate entry, the





421 amount of funds passing to each person, business entity or  
422 organization receiving funds from the expenditure.

423 (vii) If the candidate committee or political committee  
424 has received any service, performance, or anything of value during  
425 a reporting period but has yet to make payment or other transfer,  
426 the service, performance or anything of value received in exchange  
427 for a future payment or other transfer shall be reported during  
428 the reporting period it was received with a designation that a  
429 payment or other transfer is to be made at a later date.

430 (e) The appropriate office specified in Section 23-15-805  
431 must be in actual receipt of the reports specified in this article  
432 by 5:00 p.m., or 11:59 p.m. if submitted electronically, on the  
433 dates specified in subsection (b) of this section. If the date  
434 specified in subsection (b) of this section shall fall on a  
435 weekend or legal holiday then the report shall be due in the  
436 appropriate office at 5:00 p.m. on the first working day before  
437 the date specified in subsection (b) of this section. The  
438 reporting candidate or reporting political committee shall ensure  
439 that the reports are delivered to the appropriate office by the  
440 filing deadline. The Secretary of State may approve specific  
441 means of electronic transmission of completed campaign finance  
442 disclosure reports, which may include, but not be limited to,  
443 transmission by electronic facsimile (FAX) devices.

444 (f) (i) If any contribution of more than Two Hundred  
445 Dollars (\$200.00) is received by a candidate or candidate's



446 political committee after the tenth day, but more than forty-eight  
447 (48) hours before 12:01 a.m. of the day of the election, the  
448 candidate or political committee shall notify the appropriate  
449 office designated in Section 23-15-805, within forty-eight (48)  
450 hours of receipt of the contribution. The notification shall  
451 include:

- 452 1. The name of the receiving candidate;
- 453 2. The name of the receiving candidate's political  
454 committee, if any;
- 455 3. The office sought by the candidate;
- 456 4. The identification of the contributor;
- 457 5. The date of receipt;
- 458 6. The amount of the contribution;
- 459 7. If the contribution is in-kind, a description  
460 of the in-kind contribution; and
- 461 8. The signature of the candidate or the treasurer  
462 or chair of the candidate's political organization.

463 (ii) 1. From July 1, 2024, until January 1, 2027, the  
464 notification shall be in writing, and may be transmitted by  
465 overnight mail, courier service, or other reliable means,  
466 including electronic facsimile (FAX), but the candidate or  
467 candidate's committee shall ensure that the notification shall in  
468 fact be received in the appropriate office designated in Section  
469 23-15-805 within forty-eight (48) hours of the contribution.



470                   2. From and after January 1, 2027, the  
471 notification shall be in writing, and may be transmitted through  
472 the electronic campaign finance filing system unless the Secretary  
473 of State has approved other means, but the candidate or  
474 candidate's committee shall ensure that the notification shall in  
475 fact be received in the appropriate office designated in Section  
476 23-15-805 within forty-eight (48) hours of the contribution.

477           **SECTION 5.** Section 23-15-809, Mississippi Code of 1972, is  
478 amended as follows:

479           23-15-809. (a) Every person who makes independent  
480 expenditures in an aggregate amount or value in excess of Two  
481 Hundred Dollars (\$200.00) during a calendar year shall file a  
482 statement containing the information required under Section  
483 23-15-807. Such statement shall be filed with the appropriate  
484 offices as provided for in Section 23-15-805, and such person  
485 shall be considered a political committee for the purpose of  
486 determining place of filing.

487           (b) Statements required to be filed by this subsection shall  
488 include:

489                   (i) Information indicating whether the independent  
490 expenditure is in support of, or in opposition to, the candidate  
491 involved;

492                   (ii) Under penalty of perjury, a certification of  
493 whether or not such independent expenditure is made in  
494 cooperation, consultation or concert with, or at the request or



495 suggestion of, any candidate or any authorized committee or agent  
496 of such candidate; and

497 (iii) The identification of each person who made a  
498 contribution in excess of Two Hundred Dollars (\$200.00) to the  
499 person filing such statement which was made for the purpose of  
500 furthering an independent expenditure.

501 (c) Any candidate, or their representative, who cooperates,  
502 consults with, acts in concert with, or requests or suggests, an  
503 independent expenditure-only committee, that has received  
504 contributions from an entity covered under Section 23-15-821.1, to  
505 make an expenditure that seeks to influence the election in which  
506 the candidate is on the ballot, will be subject to the penalties  
507 of Section 23-15-821.1.

508 (d) Any independent expenditure-only committee, that has  
509 received contributions from an entity covered under Section  
510 23-15-821.1, that makes an independent expenditure in cooperation,  
511 consultation or concert with, or at the request or suggestion of,  
512 any candidate or any authorized candidate committee or agent of  
513 such candidate shall be subject to the penalties of Section  
514 23-15-821.1(b)(1).

515 **SECTION 6.** Section 23-15-811, Mississippi Code of 1972, is  
516 amended as follows:

517 23-15-811. (a) Any candidate or any other person who  
518 willfully violates the provisions and prohibitions of this article  
519 shall be guilty of a misdemeanor and upon conviction shall be



520 punished by a fine in a sum not to exceed Three Thousand Dollars  
521 (\$3,000.00) or imprisoned for not longer than six (6) months or by  
522 both fine and imprisonment.

523 (b) In addition to the penalties provided in subsection (a)  
524 of this section and Chapter 13, Title 97, Mississippi Code of  
525 1972, any candidate or political committee which is required to  
526 file a statement or report and fails to file the statement or  
527 report on the date it is due may be compelled to file the  
528 statement or report by an action in the nature of a mandamus  
529 brought by the Mississippi Ethics Commission.

530 (c) No candidate shall be certified as nominated for  
531 election or as elected to office until he or she files all reports  
532 required by this article that are due as of the date of  
533 certification.

534 (d) No person shall be qualified to appear on the ballot if,  
535 by the time the candidate is approved to appear on the ballot for  
536 the office sought, he or she has failed to file all reports  
537 required to be filed within the last five (5) years.

538 (e) No candidate who is elected to office shall receive any  
539 salary or other remuneration for the office until he or she files  
540 all reports required by this article that are due as of the date  
541 the salary or remuneration is payable.

542 (f) In the event that a candidate fails to timely file any  
543 report required pursuant to this article but subsequently files a  
544 report or reports containing all of the information required to be



545 reported, the candidate shall not be subject to the sanctions of  
546 subsections (c) and (d) of this section.

547 (g) (i) Any person or entity that is required to file a  
548 campaign finance report and is more than twenty (20) days  
549 delinquent may not receive any contributions or make any  
550 expenditures until the person or entity has filed the required  
551 report.

552 (ii) The Secretary of State shall send notice to the  
553 person or entity by certified mail and electronically once the  
554 person or entity becomes more than twenty (20) days delinquent in  
555 the filing of any report. The notice shall inform the person or  
556 entity that it shall be prohibited from receiving any further  
557 contributions or make any further expenditures until it has filed  
558 all reports.

559 (iii) Any person or entity that is more than twenty  
560 (20) days delinquent and receives or makes a contribution or  
561 disbursement while delinquent shall be assessed an administrative  
562 penalty by the Secretary of State as follows:

563 1. For the first offense, Five Hundred Dollars  
564 (\$500.00) or five percent (5%) of the total contributions and  
565 expenditures while delinquent, whichever is greater.

566 2. For the second offense, One Thousand Dollars  
567 (\$1000.00) or ten percent (10%) of the total contributions and  
568 expenditures while delinquent, whichever is greater.



569                   3. For the third offense, One Thousand Five  
570 Hundred Dollars (\$1,500.00) or fifteen percent (15%) of the total  
571 contributions and expenditures while delinquent, whichever is  
572 greater.

573                   (iv) Any administrative fines received by the Secretary  
574 of State under this section shall be deposited into the Election  
575 Support Fund.

576           **SECTION 7.** Section 23-15-813, Mississippi Code of 1972, is  
577 amended as follows:

578           23-15-813. (a) In addition to any other penalty permitted  
579 by law, the \* \* \* Secretary of State shall require any candidate  
580 committee or political committee, as identified in Section  
581 23-15-805(a), and any other political committee registered with  
582 the Secretary of State, who fails to file a campaign finance  
583 disclosure report as required under Sections 23-15-801 through  
584 23-15-813, or Sections 23-17-47 through 23-17-53, or who shall  
585 file a report that fails to substantially comply with the  
586 requirements of Sections 23-15-801 through 23-15-813, or Sections  
587 23-17-47 through 23-17-53, to be assessed a civil penalty as  
588 follows:

589                   (i) Within \* \* \* two (2) calendar days after any  
590 deadline for filing a report pursuant to Sections 23-15-801  
591 through 23-15-813, or Sections 23-17-47 through 23-17-53, the  
592 Secretary of State shall compile a list of those candidates  
593 committees and political committees who have failed to file a



594 report. \* \* \* The Secretary of State shall provide each candidate  
595 or political committee, who has failed to file a report, notice of  
596 the failure by first-class mail and through electronic  
597 communications if sufficient contact information has been  
598 previously provided.

599 (ii) Beginning with the \* \* \* fifth calendar day after  
600 which any report is due, or the day following the day after  
601 pre-election reports are due, the \* \* \* Secretary of State shall  
602 assess the delinquent candidate and political committee a civil  
603 penalty of Fifty Dollars (\$50.00) for each day or part of any day  
604 until a valid report is delivered to the Secretary of State, up to  
605 a maximum of ten (10) days. However, the civil penalty shall  
606 increase to One Hundred dollars (\$100.00) per day if the candidate  
607 committee or political committee has been previously fined within  
608 the last four (4) years. The civil penalty shall increase to Two  
609 Hundred Dollars (\$200.00) per day if the candidate committee or  
610 political committee has been fined twice within the last four (4)  
611 years. In the discretion of the \* \* \* Secretary of State, the  
612 assessing of the fine may be waived, in whole or in part, if  
613 the \* \* \* Secretary of State determines that unforeseeable  
614 mitigating circumstances, such as the health of the candidate,  
615 interfered with the timely filing of a report. Failure of a  
616 candidate or political committee to receive notice of failure to  
617 file a report from the Secretary of State is not an unforeseeable





618 mitigating circumstance, and failure to receive the notice shall  
619 not result in removal or reduction of any assessed civil penalty.

620 (iii) Filing of the required report and payment of the  
621 fine within ten (10) calendar days of notice by the Secretary of  
622 State that a required statement has not been filed constitutes  
623 compliance with Sections 23-15-801 through 23-15-813, or Sections  
624 23-17-47 through 23-17-53.

625 (iv) Payment of the fine without filing the required  
626 report does not excuse or exempt any person from the filing  
627 requirements of Sections 23-15-801 through 23-15-813, and Sections  
628 23-17-47 through 23-17-53.

629 (v) If any candidate committee or political committee  
630 is assessed a civil penalty, and the penalty is not subsequently  
631 waived by the \* \* \* Secretary of State after a request by the  
632 candidate committee or political committee, the candidate or  
633 political committee shall pay the fine to the \* \* \* Secretary of  
634 State within ninety (90) days of the date of the assessment of the  
635 fine. If, after one hundred twenty (120) days of the assessment  
636 of the fine the payment for the entire amount of the assessed fine  
637 has not been received by the \* \* \* Secretary of State, the \* \* \*  
638 Secretary of State shall notify the Attorney General of the  
639 delinquency, and the Attorney General shall file, where necessary,  
640 a suit to compel payment of the civil penalty.

641 (b) (i) Upon the sworn application, made within sixty (60)  
642 calendar days of the date upon which the required report is due,



643 of a candidate committee or political committee against whom a  
644 civil penalty has been assessed pursuant to subsection (a) of this  
645 section, the Secretary of State shall forward the application to  
646 the \* \* \* Mississippi Ethics Commission. The \* \* \* Mississippi  
647 Ethics Commission shall appoint one or more hearing officers who  
648 shall be former chancellors, circuit court judges, judges of the  
649 Court of Appeals or justices of the Supreme Court, to conduct  
650 hearings held pursuant to this article. The hearing officer shall  
651 fix a time and place for a hearing and shall cause a written  
652 notice specifying the civil penalties that have been assessed  
653 against the candidate committee or political committee and notice  
654 of the time and place of the hearing to be served upon the  
655 candidate committee or political committee at least twenty (20)  
656 calendar days before the hearing date. The notice may be served  
657 by mailing a copy of the notice by certified mail, postage  
658 prepaid, to the last-known business address of the candidate or  
659 political committee.

660 (ii) The hearing officer may issue subpoenas for the  
661 attendance of witnesses and the production of documents at the  
662 hearing. Process issued by the hearing officer shall extend to  
663 all parts of the state and shall be served by any person  
664 designated by the hearing officer for the service.

665 (iii) The candidate committee or political committee  
666 has the right to appear either personally, by counsel or both, to  
667 produce witnesses or evidence in his or her behalf, to



668 cross-examine witnesses and to have subpoenas issued by the  
669 hearing officer.

670 (iv) At the hearing, the hearing officer shall  
671 administer oaths as may be necessary for the proper conduct of the  
672 hearing. All hearings shall be conducted by the hearing officer,  
673 who shall not be bound by strict rules of procedure or by the laws  
674 of evidence, but the determination shall be based upon sufficient  
675 evidence to sustain it. The scope of review at the hearing shall  
676 be limited to making a determination of whether failure to file a  
677 required report was due to an unforeseeable mitigating  
678 circumstance.

679 (v) In any proceeding before the hearing officer, if  
680 any witness fails or refuses to attend upon a subpoena issued by  
681 the commission, refuses to testify, or refuses to produce any  
682 documents called for by a subpoena, the attendance of the witness,  
683 the giving of his or her testimony or the production of the  
684 documents shall be enforced by a court of competent jurisdiction  
685 of this state in the manner provided for the enforcement of  
686 attendance and testimony of witnesses in civil cases in the courts  
687 of this state.

688 (vi) Within fifteen (15) calendar days after conclusion  
689 of the hearing, the hearing officer shall reduce his or her  
690 decision to writing and forward an attested true copy of the  
691 decision to the last-known business address of the candidate or



692 political committee by way of United States first-class, certified  
693 mail, postage prepaid.

694 (c) (i) The right to appeal from the decision of the  
695 hearing officer in an administrative hearing concerning the  
696 assessment of civil penalties authorized pursuant to this section  
697 is granted. The appeal shall be to the Circuit Court of Hinds  
698 County and shall include a verbatim transcript of the testimony at  
699 the hearing. The appeal shall be taken within thirty (30)  
700 calendar days after notice of the decision of the commission  
701 following an administrative hearing. The appeal shall be  
702 perfected upon filing notice of the appeal and the prepayment of  
703 all costs, including the cost of preparing the record of the  
704 proceedings by the hearing officer, and filing a bond in the sum  
705 of Two Hundred Dollars (\$200.00), conditioned that if the decision  
706 of the hearing officer is affirmed by the court, the candidate or  
707 political committee will pay the costs of the appeal and the  
708 action in court. If the decision is reversed by the court, the  
709 Mississippi Ethics Commission will pay the costs of the appeal and  
710 the action in court.

711 (ii) If there is an appeal, the appeal shall act as a  
712 supersedeas. The court shall dispose of the appeal and enter its  
713 decision promptly. The hearing on the appeal may be tried in  
714 vacation, in the court's discretion. The scope of review of the  
715 court shall be limited to a review of the record made before the  
716 hearing officer to determine if the action of the hearing officer



717 is unlawful for the reason that it was 1. not supported by  
718 substantial evidence, 2. arbitrary or capricious, 3. beyond the  
719 power of the hearing officer to make, or 4. in violation of some  
720 statutory or constitutional right of the appellant. The decision  
721 of the court may be appealed to the Supreme Court in the manner  
722 provided by law.

723 (d) If, after forty-five (45) calendar days of the date of  
724 the administrative hearing procedure set forth in subsection (b),  
725 the candidate committee or political committee identified in  
726 subsection (a) of this section fails to pay the monetary civil  
727 penalty imposed by the hearing officer, the Secretary of State  
728 shall notify the Attorney General of the delinquency. The  
729 Attorney General shall investigate the offense in accordance with  
730 the provisions of this chapter, and where necessary, file suit to  
731 compel payment of the unpaid civil penalty.

732 (e) If, after twenty (20) calendar days of the date upon  
733 which a campaign finance disclosure report is due, a candidate or  
734 political committee identified in subsection (a) of this section  
735 shall not have filed a valid report with the Secretary of State,  
736 the Secretary of State shall notify the Attorney General of those  
737 candidates and political committees who have not filed a valid  
738 report, and the Attorney General shall prosecute the  
739 delinquent \* \* \* candidate committees and political committees.

740 **SECTION 8.** Section 23-15-821, Mississippi Code of 1972, is  
741 amended as follows:



742 23-15-821. (1) The personal use of campaign contributions  
743 by any elected public officeholder or by any candidate for public  
744 office is prohibited.

745 (a) For the purposes of this section, "personal use" is  
746 defined as any use, other than expenditures related to gaining or  
747 holding public office, or performing the functions and duties of  
748 public office, for which the candidate for public office or  
749 elected public official would be required to treat the amount of  
750 the expenditure as gross income under Section 61 of the Internal  
751 Revenue Code of 1986, 26 USC Section 61, or any subsequent  
752 corresponding Internal Revenue Code of the United States, as from  
753 time to time amended. "Personal use" shall not include donations  
754 to a political organization, or to a political action committee,  
755 or to another candidate.

756 (b) "Candidate" shall mean any individual described in  
757 Section 23-15-801(b), and shall include any person having been a  
758 candidate until such time that the person takes office or files a  
759 termination report as provided in this section.

760 (c) "Officeholder" shall mean any elected or appointed  
761 official from the beginning of his or her term of office until  
762 that person no longer holds office.

763 (2) The following personal use expenditures are specifically  
764 prohibited under this section:

765 (a) Any residential or household items, supplies or  
766 expenditures, including mortgage, rent or utility payments for any



767 part of any personal residence where a homestead exemption is  
768 claimed of a candidate or officeholder or a member of the  
769 candidate's or officeholder's family;

770 (b) Mortgage, rent or utility payments for any part of  
771 any nonresidential property that is owned by a candidate or  
772 officeholder or a member of a candidate's or officeholder's family  
773 and used for campaign purposes, to the extent the payments exceed  
774 the fair market value of the property usage;

775 (c) Funeral, cremation or burial expenses within a  
776 candidate's or officeholder's family;

777 (d) Clothing, other than items of de minimis value that  
778 are used for gaining or holding public office or performing the  
779 functions and duties of public office;

780 (e) Automobiles, except for automobile rental expenses  
781 and other automobile expenses related to gaining or holding public  
782 office or performing the functions and duties of public office;

783 (f) Tuition payments within a candidate's or  
784 officeholder's family other than those associated with training  
785 campaign staff or associated with an officeholder's duties;

786 (g) Salary payments to a member of a candidate's  
787 family, unless the family member is providing bona fide services  
788 to the campaign. If a family member provides bona fide services  
789 to a campaign, any salary payments in excess of the fair market  
790 value of the services provided is personal use;



791 (h) Nondocumented loans of any type, including loans to  
792 candidates;

793 (i) Travel expenses except for travel expenses of a  
794 candidate, officeholder or staff member of the officeholder for  
795 travel undertaken as an ordinary and necessary expense of gaining  
796 or holding public office, or performing the functions and duties  
797 of public office or for attending meetings or conferences of  
798 officials similar to the office held or sought, or for an issue  
799 the legislative body is or will consider, or attending a state or  
800 national convention of any party. If a candidate or officeholder  
801 uses campaign contributions to pay expenses associated with travel  
802 that involves both personal activities and activities related to  
803 gaining or holding public office or performing the functions and  
804 duties of public office, the incremental expenses that result from  
805 the personal activities are personal use, unless the person(s)  
806 benefiting from this use reimburse(s) the campaign account within  
807 thirty (30) days for the amount of the incremental expenses; and

808 (j) Payment of any fines, fees or penalties assessed  
809 pursuant to Mississippi law.

810 (3) Any expense that reasonably relates to gaining or  
811 holding public office, or performing the functions and duties of  
812 public office, is a specifically permitted use of campaign  
813 contributions. Such expenditures are not considered personal use  
814 expenditures and may include, but are not limited to, the  
815 following expenditures:





816 (a) The defrayal of ordinary and necessary expenses of  
817 a candidate or officeholder, including expenses reasonably related  
818 to performing the duties of the office held or sought to be held;

819 (b) Campaign office or officeholder office expenses and  
820 equipment, provided the expenditures and the use of the equipment  
821 can be directly attributable to the campaign or office held;

822 (c) Donations to charitable organizations,  
823 not-for-profit organizations or for sponsorships, provided the  
824 candidate or officeholder does not receive monetary compensation,  
825 other than reimbursements of expenses, from the recipient  
826 organization;

827 (d) Gifts of nominal value and donations of a nominal  
828 amount made on a special occasion such as a holiday, graduation,  
829 marriage, retirement or death, unless made to a member of the  
830 candidate's or officeholder's family;

831 (e) Meal and beverage expenses which are incurred as  
832 part of a campaign activity or as a part of a function that is  
833 related to the candidate's or officeholder's responsibilities,  
834 including meals between and among candidates and/or officeholders  
835 that are incurred as an ordinary and necessary expense of seeking,  
836 holding or maintaining public office, or seeking, holding or  
837 maintaining a position within the Legislature or other publicly  
838 elected body;

839 (f) Reasonable rental or accommodation expenses  
840 incurred by an officeholder during a legislative session or a day



841 or days in which the officeholder is required by his or her duties  
842 to be at the Capitol or another location outside the  
843 officeholder's county of residence. Such rental or accommodation  
844 expenses shall not exceed Fifty Dollars (\$50.00) per day, if the  
845 officeholder receives per diem, or One Hundred Ninety Dollars  
846 (\$190.00) per day, if the officeholder receives no per diem. Any  
847 expenses incurred under this paragraph (f) must be reported as an  
848 expenditure pursuant to this section;

849 (g) Communication access expenses, including mobile  
850 devices and Internet access costs. Examples of communication  
851 access expenses include, but are not limited to, the following:  
852 captioning on television advertisements; video clips; sign  
853 language interpreters; computer-aided real-time (CART) services;  
854 and assistive listening devices;

855 (h) Costs associated with memberships to chambers of  
856 commerce and civic organizations;

857 (i) Legal fees and costs associated with any civil  
858 action, criminal prosecution or investigation related to conduct  
859 reasonably related to the candidacy or performing the duties of  
860 the office held.

861 (4) Upon filing the termination report required under  
862 Section 23-15-807, any campaign contributions not used to pay for  
863 the expenses of gaining or holding public office or performing the  
864 functions and duties of public office shall:

865 \* \* \*



866 ( \* \* \*a) Be donated to a political organization, or to  
867 a political action committee, or to another candidate;

868 ( \* \* \*b) Be transferred, in whole or in part, into a  
869 newly established political action committee or ballot question  
870 advocate;

871 ( \* \* \*c) Be donated to a tax-exempt charitable  
872 organization as that term is used in Section 501(c)(3) of the  
873 Internal Revenue Code of 1986, 26 USC Section 501, or any  
874 subsequent corresponding Internal Revenue Code of the United  
875 States, as from time to time amended;

876 ( \* \* \*d) Be donated to the State of Mississippi; or

877 ( \* \* \*e) Be returned to a donor or donors.

878 (5) Any candidate for public office or any elected official  
879 who willfully violates this section shall be guilty of a  
880 misdemeanor and punished by a fine of One Thousand Dollars  
881 (\$1,000.00) and by a state assessment equal to the amount of  
882 misappropriated campaign contributions. The state assessment  
883 shall be deposited into the Public Employees' Retirement System.  
884 No fine or assessment imposed under this section shall be paid by  
885 a third party.

886 \* \* \*

887 ( \* \* \*6) The Mississippi Ethics Commission shall issue  
888 advisory opinions regarding any of the requirements set forth in  
889 this section. When any officeholder or candidate requests an  
890 advisory opinion, in writing, and has stated all of the facts to



891 govern the opinion, and the Ethics Commission has prepared and  
892 delivered the opinion with references to the request, there shall  
893 be no civil or criminal liability accruing to or against any  
894 officeholder or candidate who, in good faith, follows the  
895 direction of the opinion and acts in accordance with the opinion,  
896 unless a court of competent jurisdiction, after a full hearing,  
897 judicially declares that the opinion is manifestly wrong and  
898 without any substantial support. No opinion shall be given or  
899 considered if the opinion would be given after judicial  
900 proceedings have commenced.

901 All advisory opinions issued pursuant to the provisions of  
902 this subsection (7) shall be made public and shall be issued  
903 within ninety (90) days of written request. The request for an  
904 advisory opinion shall be confidential as to the identity of the  
905 individual making the request. The Ethics Commission shall, so  
906 far as practicable and before making public \* \* \* an advisory  
907 opinion issued under the provisions of on this subsection (7),  
908 make such deletions and changes thereto as may be necessary to  
909 ensure the anonymity of the public official and any other person  
910 named in the opinion.

911 **SECTION 9.** The following shall be codified as Section  
912 23-15-821.1, Mississippi Code of 1972:

913 23-15-821.1. (1) It shall be unlawful for any corporation,  
914 incorporated company or incorporated association, by whatever name  
915 it may be known, incorporated or organized under the laws of this



916 state, or doing business in this state, or for any servant, agent,  
917 employee or officer thereof, to give, donate, appropriate or  
918 furnish directly or indirectly, any money, security, funds or  
919 property of the corporation, incorporated company or incorporated  
920 association, in excess of One Thousand Dollars (\$1,000.00) per  
921 calendar year for the purpose of aiding any political party or any  
922 candidate for any public office, or any candidate for any  
923 nomination for any public office of any political party, or to  
924 give, donate, appropriate or furnish, directly or indirectly, any  
925 money, security, funds or property of the corporation,  
926 incorporated company or association in excess of One Thousand  
927 Dollars (\$1,000.00) to any committee or person as a contribution  
928 to the expense of any political party or any candidate,  
929 representative or committee of any political party or candidate  
930 for nomination by any political party, or any committee or other  
931 person acting in behalf of such candidate. The limit of One  
932 Thousand Dollars (\$1,000.00) for contributions to political  
933 parties, candidates and committees or other persons acting in  
934 behalf of such candidates, or any political committee that is not  
935 an independent expenditure-only committee shall be an annual  
936 limitation applicable to each calendar year.

937 (2) Any entity or person that is prohibited from receiving  
938 in excess of One Thousand Dollars (\$1,000.00) from a corporation,  
939 incorporated company or incorporated association, or agent  
940 officer, or employee thereof, in a calendar year and receives such



941 a contribution shall be assessed a civil penalty by the Secretary  
942 of State unless the entity or person returned the portion of the  
943 contribution in excess of One Thousand Dollars (\$1,000.00) within  
944 ten (10) days of receipt of the contribution. However, if the  
945 contribution is received less than thirty (30) days before the  
946 election, the excess contribution shall be returned within two (2)  
947 days of receipt.

948 (a) The civil penalty shall be:

949 (i) One Thousand Dollars (\$1,000.00) for the first  
950 offense within a period of five (5) years; and

951 (ii) Two Thousand Five Hundred Dollars (\$2,500.00)  
952 for the second offense within a period of five (5) years; and

953 (iii) Five Thousand Dollars (\$5,000.00) for the  
954 third offense within a period of five (5) years.

955 (b) Payment of the administrative fine does not  
956 alleviate the requirement that the campaign, candidate committee,  
957 or political party return the excessive amount of the  
958 contribution. If, by the next reporting period, the campaign,  
959 committee, or political party has not returned the excessive  
960 contribution, the entity shall be assessed an administrative  
961 penalty equal to the excess amount. Payment of this  
962 administrative penalty shall not be limited to the limitations set  
963 forth in 23-15-821.

964 (c) The notice, hearing and appeals provisions of  
965 Section 23-15-813 shall apply to any action taken pursuant to this



966 section. The Secretary of State may pursue judicial enforcement  
967 of any penalties issued pursuant to this section.

968 (d) Any administrative penalty received by the  
969 Secretary of State under this section shall be deposited into the  
970 Election Support Fund.

971 **SECTION 10.** The following shall be codified as Section  
972 23-15-823, Mississippi Code of 1972:

973 23-15-823. (1) A political committee shall be prohibited  
974 from receiving or making contributions, expenditures or any other  
975 transfer of funds to any other political committee, tax exempt  
976 political organization under 26 USC Section 527, entity registered  
977 with the Federal Election Commission, or political committee  
978 registered in another state. Nothing herein shall prohibit a  
979 political committee from making a contribution, expenditure, or  
980 any other transfer of funds to a candidate committee.

981 (2) A candidate, or his or her representatives, which shall  
982 include treasurers of candidate committees, shall not knowingly  
983 establish, use, direct, or control more than one (1) political  
984 committee for the purpose of influencing the election for the  
985 office of which the candidate is seeking. This shall not prohibit  
986 any person from participation in a political committee that  
987 supports a slate of candidates, or joint fundraising by  
988 candidates, unless the political committee makes a substantial  
989 amount of expenditures in support of a candidate or in opposition  
990 of another candidate seeking the same office as the candidate.



991 Evidence of a substantial amount of expenditures shall include,  
992 but not be limited to, contributions from the political committee  
993 to the candidate committee, independent expenditures in support of  
994 the candidate, or expenditures in opposition to an opponent of a  
995 candidate.

996 (3) No candidate committee or political committee shall have  
997 a pre-checked or pre-marked box for contribution amounts or  
998 authorizations for recurring contributions on any communications  
999 that request a contribution.

1000 **SECTION 11.** The following shall be codified as Section  
1001 23-15-825, Mississippi Code of 1972:

1002 23-15-825. (1) In the calendar year following the election  
1003 for statewide offices or the election of circuit court judges, the  
1004 Secretary of State shall randomly select no more than three  
1005 percent (3%) of registered candidate committees or political  
1006 committees to conduct an audit. The Secretary of State shall  
1007 establish a standard, scientific method of selecting the  
1008 committees that are to be audited so that every committee to be  
1009 audited has an equal mathematical chance of being selected.  
1010 However, only committees that were required to file a periodic  
1011 report during the previous calendar year shall be required to be  
1012 audited. The Secretary of State shall not select additional  
1013 registered committees to conduct an audit to replace any of the  
1014 originally selected committees that do not fully meet the  
1015 requirements to be audited.





1016 (2) Notwithstanding the provisions of subsection (1), any  
1017 committee owing unpaid administrative fines at the time of the  
1018 random selection shall also be required to be audited.

1019 (3) The audit shall be conducted by the State Auditor,  
1020 unless a selected committee is the candidate committee for the  
1021 State Auditor, in which case a certified accountant in good  
1022 standing with the Mississippi Board of Public Accountancy shall  
1023 audit the candidate committee of the State Auditor.

1024 (4) The State Auditor or certified accountant in good  
1025 standing with the Mississippi Board of Public Accountancy,  
1026 whichever is applicable, shall submit the findings of any audit to  
1027 the Mississippi Secretary of State's Office, which shall be kept  
1028 as a record in accordance with 23-15-805(d).

1029 (5) If the audit finds any discrepancy in reporting, then  
1030 the audit committee will have thirty (30) days to respond and file  
1031 an amended report. However, if the audit finds any indication of  
1032 intent to intentionally violate campaign finance requirements,  
1033 then the audit report shall be submitted to the Attorney General.

1034 **SECTION 12.** Section 23-15-897, Mississippi Code of 1972, is  
1035 amended as follows:

1036 23-15-897. (1) The following words and phrases shall have  
1037 the meanings as defined in this section unless the context clearly  
1038 indicates otherwise:

1039 (a) "Campaign materials" include any materials designed  
1040 to influence voters for or against any candidate, party or measure



1041 to be voted on at any election, or containing information about  
1042 any candidate, party or measure paid for by a candidate, political  
1043 committee, or independent expenditure which requires disclosure  
1044 under campaign finance laws.

1045 (b) "Publish" means the act or instance of making  
1046 campaign material available to the public, or to a list of  
1047 subscribers, by mail, telephone, electronic communications  
1048 platforms, Internet, software applications, printed materials or  
1049 any other means of distribution, including, but not limited to,  
1050 radio.

1051 (c) "Printed material" shall include, but not be  
1052 limited to, any notice, placard, bill, poster, dodger, pamphlet,  
1053 advertisement, sign or any other form of printed publication,  
1054 except notices, posters and the like, which simply announce a  
1055 speaking date and invite attendance thereon.

1056 (2) No candidate, political committee or other person shall  
1057 publish, or knowingly cause to be published, any campaign  
1058 materials unless it contains the following information:

1059 (a) The name of the candidate along with a statement  
1060 that the message is approved by the candidate; or

1061 (b) If the message has not been approved by a specific  
1062 candidate, the name of the person, political committee or  
1063 organization paying for the publication of the message; or

1064 (c) If the message has not been approved by the  
1065 candidate and no person, political committee or organization is



1066 identified as having paid for the publication, the entity  
1067 producing the campaign materials must be identified.

1068 (3) Publication of campaign materials through an electronic  
1069 platform shall be deemed to comply with the requirements of this  
1070 section if the home page of the candidate or political committee  
1071 provides the information required by subsection (2), and each  
1072 electronic publication provides a link to that home page.

1073 (4) The information required by subsection (2) of this  
1074 section shall be printed in a manner in which the required  
1075 language can be easily read. Failure to comply with subsection  
1076 (2) or this subsection (4) shall result in an administrative fine  
1077 of One Thousand Dollars (\$1,000.00) to be assessed by the  
1078 Secretary of State.

1079 **SECTION 13.** The following shall be codified as Section  
1080 97-13-47, Mississippi Code of 1972:

1081 97-13-47. (1) For purposes of this section, the following  
1082 words and phrases shall have the meanings as defined in this  
1083 section unless the context clearly indicates otherwise:

1084 (a) "Candidate" means an individual who seeks  
1085 nomination or election to a federal, statewide, state district,  
1086 legislative, judicial, county, county district or municipal  
1087 office.

1088 (b) "Deep fake" means any picture, video recording,  
1089 sound recording, electronic image or any digital representation of  
1090 speech or conduct that:



1091 (i) A reasonable person would believe depicts the  
1092 speech and/or conduct of an individual who did not engage in the  
1093 speech and/or conduct as presented; and

1094 (ii) The production was substantially dependent on  
1095 technical means, rather than the ability of another individual to  
1096 physically or verbally impersonate such an individual.

1097 (c) "Depicted individual" means an individual in a deep  
1098 fake who appears to be engaging in speech or conduct.

1099 (d) "Disseminates" means transmitting a deep fake to  
1100 another person through social media, electronic mail, video  
1101 sharing services or any other physical or electronic method.

1102 (2) A person who disseminates a deep fake or enters into a  
1103 contract or other agreement to disseminate a deep fake shall be  
1104 guilty of a crime and may be sentenced as provided in subsection  
1105 (3) if that person knows or had reason to know that the  
1106 information being disseminated is a deep fake and the  
1107 dissemination:

1108 (a) Occurs within ninety (90) days of an election;

1109 (b) Was disseminated without the consent of the  
1110 depicted individual; and

1111 (c) Was disseminated with the intent to injure a  
1112 candidate, influence the result of an election, or deter any  
1113 person from voting.

1114 (3) A person convicted under this section may be sentenced  
1115 as follows:



1116 (a) If the person commits the violation with the intent  
1117 to cause violence, bodily harm or to deter any person from voting,  
1118 or has been previously convicted under this section within the  
1119 last five (5) years, the person may be sentenced to imprisonment  
1120 for no more than five (5) years, or to payment of a fine of not  
1121 more than Ten Thousand Dollars (\$10,000.00), or both;

1122 (b) In all other cases, the person may be sentenced to  
1123 imprisonment for not more than one (1) year, or to payment of a  
1124 fine of not more than Five Thousand Dollars (\$5,000.00), or both.

1125 (4) A cause of action for injunctive relief may be  
1126 maintained against any person who is reasonably believed to be  
1127 about to violate this section or who is in the process of  
1128 violating this section by the following:

1129 (a) The Attorney General;

1130 (b) A district attorney;

1131 (c) The depicted individual;

1132 (d) A candidate for nomination or election to a public  
1133 office who is injured or likely to be injured by dissemination; or

1134 (e) A political party whose nominee on the ballot would  
1135 be injured or likely to be injured by the dissemination.

1136 (5) Clear and prominent language displayed throughout the  
1137 deep fake that informs the viewer of the deep fake that the  
1138 depicted individual did not engage in the depicted speech and/or  
1139 conduct shall be a defense to prosecution.



1140           **SECTION 14.** Section 23-15-815, Mississippi Code of 1972, is  
1141 brought forward as follows:

1142           23-15-815. (a) The Secretary of State shall prescribe and  
1143 make available forms and promulgate rules and regulations  
1144 necessary to implement this article.

1145           (b) The Secretary of State, circuit clerks and municipal  
1146 clerks shall, within forty-eight (48) hours after the time of the  
1147 receipt by the appropriate office of reports and statements filed  
1148 with it, make them available for public inspection, and copying at  
1149 the expense of the person requesting such copying, and keep such  
1150 designations, reports and statements for a period of three (3)  
1151 years from the date of receipt.

1152           **SECTION 15.** Section 23-15-817, Mississippi Code of 1972, is  
1153 brought forward as follows:

1154           23-15-817. The Secretary of State shall compile a list of  
1155 all candidates for the Legislature or any statewide office who  
1156 fail to file a campaign disclosure report by the dates specified  
1157 in Section 23-15-807(b). The list shall be provided to the  
1158 Mississippi Ethics Commission so that the Commission may bring a  
1159 mandamus as provided in Section 23-15-811 or take any other  
1160 disciplinary action as provided in this chapter. The list shall  
1161 also be disseminated to the members of the Mississippi Press  
1162 Association within two (2) working days after such reports are due  
1163 and made available to the public.



1164           **SECTION 16.** Section 23-15-819, Mississippi Code of 1972, is  
1165 brought forward as follows:

1166           23-15-819. (1) It shall be unlawful for a foreign national,  
1167 directly or through any other person, to make any contribution or  
1168 any expenditure of money or other thing of value, or to promise  
1169 expressly or impliedly to make any such contribution or  
1170 expenditure, in connection with an election to any political  
1171 office or in connection with any primary election, convention or  
1172 caucus held to select candidates for any political office.

1173           (2) No person shall solicit, accept or receive any such  
1174 contribution from a foreign national.

1175           (3) The term "foreign national" means:

1176           (a) A foreign national as defined in 22 USCS 611(b),  
1177 except that the terms "foreign national" does not include any  
1178 individual who is a citizen of the United States; or

1179           (b) An individual who is not a citizen of the United  
1180 States and who is not lawfully admitted for permanent residence.

1181           **SECTION 17.** Section 25-61-12, Mississippi Code of 1972, is  
1182 brought forward as follows:

1183           25-61-12. (1) The home address, any telephone number of a  
1184 privately paid account or other private information of any law  
1185 enforcement officer, criminal investigator, judge or district  
1186 attorney or the spouse or child of the law enforcement officer,  
1187 criminal investigator, judge or district attorney shall be exempt  
1188 from the Mississippi Public Records Act of 1983. This exemption



1189 does not apply to any court transcript or recording if given under  
1190 oath and not otherwise excluded by law.

1191 (2) (a) When in the possession of a law enforcement agency,  
1192 investigative reports shall be exempt from the provisions of this  
1193 chapter; however, a law enforcement agency, in its discretion, may  
1194 choose to make public all or any part of any investigative report.

1195 (b) Nothing in this chapter shall be construed to  
1196 prevent any and all public bodies from having among themselves a  
1197 free flow of information for the purpose of achieving a  
1198 coordinated and effective detection and investigation of unlawful  
1199 activity. Where the confidentiality of records covered by this  
1200 section is being determined in a private hearing before a judge  
1201 under Section 25-61-13, the public body may redact or separate  
1202 from the records the identity of confidential informants or the  
1203 identity of the person or persons under investigation or other  
1204 information other than the nature of the incident, time, date and  
1205 location.

1206 (c) Nothing in this chapter shall be construed to  
1207 exempt from public disclosure a law enforcement incident report.  
1208 An incident report shall be a public record. A law enforcement  
1209 agency may release information in addition to the information  
1210 contained in the incident report.

1211 (d) Nothing in this chapter shall be construed to  
1212 require the disclosure of information that would reveal the  
1213 identity of the victim.





1214 (3) Personal information of victims, including victim impact  
1215 statements and letters of support on behalf of victims that are  
1216 contained in records on file with the Mississippi Department of  
1217 Corrections and State Parole Board, shall be exempt from the  
1218 provisions of this chapter.

1219 (4) Records of a public hospital board relating to the  
1220 purchase or sale of medical or other practices or other business  
1221 operations, and the recruitment of physicians and other health  
1222 care professionals, shall be exempt from the provisions of this  
1223 chapter.

1224 **SECTION 18.** This act shall take effect and be in force from  
1225 and after July 1, 2024, except that Section 11 shall take effect  
1226 and be in force from and after January 1, 2027.

