

By: Senator(s) Carter

To: Energy; Judiciary,
Division B

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2602

1 AN ACT TO BRING FORWARD SECTIONS 77-1-11 AND 77-1-25,
2 MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 77-1-11, Mississippi Code of 1972, is
6 brought forward as follows:

7 77-1-11. (1) It shall be unlawful for any public service
8 commissioner, any candidate for public service commissioner, or
9 any employee of the Public Service Commission or Public Utilities
10 Staff to knowingly accept any gift, pass, money, campaign
11 contribution or any emolument or other pecuniary benefit
12 whatsoever, either directly or indirectly, from any person
13 interested as owner, agent or representative, or from any person
14 acting in any respect for such owner, agent or representative of
15 any telephone company, gas or electric utility company, or any
16 other public utility that shall come under the jurisdiction or
17 supervision of the Public Service Commission. Any person found
18 guilty of violating the provisions of this subsection shall



19 immediately forfeit his or her office or position and shall be
20 fined not less than Five Thousand Dollars (\$5,000.00), imprisoned
21 in the State Penitentiary for not less than one (1) year, or both.

22 (2) It shall be unlawful for any person interested as owner,
23 agent or representative, or any person acting in any respect for
24 such owner, agent or representative of any telephone company, gas
25 or electric utility, or any other public utility that shall come
26 under the jurisdiction or supervision of the Public Service
27 Commission to offer any gift, pass, money, campaign contribution
28 or any emolument or other pecuniary benefit whatsoever to any
29 public service commissioner, any candidate for public service
30 commissioner or any employee of the Public Service Commission or
31 Public Utilities Staff. Any party found guilty of violating the
32 provisions of this subsection shall be fined not less than Five
33 Thousand Dollars (\$5,000.00), or imprisoned in the State
34 Penitentiary for not less than one (1) year, or both.

35 (3) For purposes of this section, the term "emolument" shall
36 include salary, donations, contributions, loans, stock tips,
37 vacations, trips, honorarium, directorships or consulting posts.
38 Expenses associated with social occasions afforded public servants
39 shall not be deemed a gift, emolument or other pecuniary benefit
40 as defined in Section 25-4-103(k), Mississippi Code of 1972.

41 (4) For purposes of this section, a person who is a member
42 of a water, gas, electric or other cooperative association
43 regulated by the Public Service Commission shall not, by virtue of



44 such membership, be deemed an owner, agent or representative of
45 such association unless such person is acting in any respect for
46 or as an owner, agent or representative of such association; nor
47 shall a person who owns less than one-half of one percent (1/2 of
48 1%) in stock, the value thereof not to exceed Ten Thousand Dollars
49 (\$10,000.00), of any public utility that is regulated by the
50 Public Service Commission, or of any holding company of such
51 public utility, by virtue of such ownership, be deemed an owner,
52 agent or representative of such public utility unless such person
53 is acting in any respect for or as an owner, agent or
54 representative of such public utility.

55 **SECTION 2.** Section 77-1-25, Mississippi Code of 1972, is
56 brought forward as follows:

57 77-1-25. No member of the staff of the commission, or any
58 other person, shall use uniforms, material, or equipment of the
59 commission for private or political purposes. Members of the
60 staff of the commission may be candidates for political office but
61 must take a leave of absence to do so. Members of the staff of
62 the commission may take part in political campaigns other than
63 campaigns for Public Service Commission but may not solicit or
64 receive campaign contributions from regulated utilities. Anyone
65 violating the provisions of this section shall be guilty of a
66 misdemeanor and, upon conviction, shall be punished as provided by
67 law and shall be dismissed from the staff of the commission.



68 **SECTION 3.** This act shall take effect and be in force from
69 and after July 1, 2024, and shall stand repealed on June 30, 2024.

