

By: White (29th)

To: Labor

SENATE BILL NO. 2059

1 AN ACT TO AMEND SECTION 23-15-871, MISSISSIPPI CODE OF 1972,  
 2 TO PROHIBIT LABOR ORGANIZATIONS FROM DIRECTING OR COERCING MEMBERS  
 3 TO VOTE IN A PARTICULAR MANNER OR RETALIATE AGAINST AN EMPLOYEE  
 4 FOR FAILURE TO VOTE IN A PARTICULAR MANNER; TO PROHIBIT LABOR  
 5 ORGANIZATIONS FROM MAKING ANY STATEMENT CALCULATED TO INFLUENCE  
 6 ANY EMPLOYEE OR MEMBER AS TO THEIR VOTE; TO PROHIBIT EMPLOYERS AND  
 7 LABOR ORGANIZATIONS FROM INCREASING THE SALARIES OF OFFICERS OR  
 8 EMPLOYEES OR GIVING AN EMOLUMENT TO AN OFFICER OR EMPLOYEE WITH  
 9 THE INTENTION THAT THE INCREASE IN SALARY OR THE EMOLUMENT BE  
 10 CONTRIBUTED TO SUPPORT OR OPPOSE A CANDIDATE OR POLITICAL PARTY;  
 11 AND FOR RELATED PURPOSES.

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

13 SECTION 1. Section 23-15-871, Mississippi Code of 1972, is  
 14 amended as follows: [LR1]

15 23-15-871. It shall be unlawful for any corporation or any  
 16 officer or employee thereof, or any member of a firm, or trustee  
 17 or any member of any association, or any other employer, or any  
 18 labor organization to direct or coerce, directly or indirectly,  
 19 any employee or member to vote or not to vote for any particular  
 20 person or group of persons in any election, or to discharge or to  
 21 threaten to discharge any such employee, or to increase or  
 22 decrease the salary or wages of an employee, or otherwise promote  
 23 or demote him, because of his vote or failure to vote for any  
 24 particular candidate or group of candidates; and likewise it shall  
 25 be unlawful for any employer, \* \* \* employee having the authority

26 to employ or discharge other employees, or labor organization to  
27 make any statement public or private, or to give out or circulate  
28 any report or statement, calculated to intimidate or coerce or  
29 otherwise influence any employee or member as to his vote, and  
30 when any such statement has obtained circulation, it shall be the  
31 duty of such employer or labor organization to publicly repudiate  
32 it, in the absence of which repudiation the employer or labor  
33 organization shall be deemed by way of ratification to have made  
34 it himself. Nor shall any employee be requested, directed or  
35 permitted to canvass for or against any candidate or render any  
36 other services for or against any candidate or group of  
37 candidates, during any of the hours within which the salary of  
38 said employee as an employee is being paid or agreed to be paid;  
39 nor shall any such employee be allowed any vacation or leave of  
40 absence at the expense of the employer to render any service or  
41 services for or against any candidate or group of candidates, or  
42 to take any active part in any election campaign whatsoever; nor  
43 shall any employee at the expense, in whole or in part, of any  
44 employer take any part whatever in any election campaign, except  
45 the necessary time to cast his vote. An employer or labor  
46 organization may not increase the salary of an officer or  
47 employee, or give an emolument to an officer, employee, or other  
48 person or entity, with the intention that the increase in salary,  
49 or the emolument, or a part of it, be contributed or spent to  
50 support or oppose a candidate, balloted measure, political party  
51 or political committee. The prohibitions of this section shall  
52 apply to all state, state district, county and county district  
53 officers, and to any board or commission and the members thereof  
54 by whatever name designated and whether elective or appointive,  
55 and to each and every one of those employed by them or any of  
56 them. And no state, state district, county or county district

57 officer, or any employee of any of them who directly or indirectly  
58 has the control, or in any way the power of control, or who  
59 asserts or pretends that he has such power, over the expenditure  
60 of any public funds in this state, whatever the purpose or object  
61 of said expenditure may be, shall state, suggest or intimate,  
62 publicly or privately, or in any manner or form, that any such  
63 expenditure shall in any wise depend upon or be influenced by the  
64 vote of any person, group of persons, or community or group of  
65 communities, whether for or against any candidate or group of  
66 candidates at any election. This section and every part of it  
67 shall apply also to all federal officers, agents, employees,  
68 boards and commissions by whatever name known and to each and  
69 every one of those employed by them or any of them, as to any  
70 interference by them or any of them, contrary to the provisions of  
71 this chapter, in the elections of this state.

72 SECTION 2. The Attorney General of the State of Mississippi  
73 shall submit this act, immediately upon approval by the Governor,  
74 or upon approval by the Legislature subsequent to a veto, to the  
75 Attorney General of the United States or to the United States  
76 District Court for the District of Columbia in accordance with the  
77 provisions of the Voting Rights Act of 1965, as amended and  
78 extended.

79 SECTION 3. This act shall take effect and be in force from  
80 and after the date it is effectuated under Section 5 of the Voting  
81 Rights Act of 1965, as amended and extended.