

By: Chaney

To: Judiciary

SENATE BILL NO. 2660

1 AN ACT TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE REPORTS UNDER THE CAMPAIGN FINANCE LAW TO IDENTIFY ANY
3 EXPENDITURES MADE TO A PERSON OTHER THAN A CANDIDATE FOR THE
4 PURPOSE OF INFLUENCING OR ATTEMPTING TO INFLUENCE THE ACTION OF
5 VOTERS ON BEHALF OF A CANDIDATE WHEN THE EXPENDITURES MADE TO SUCH
6 THIRD PARTY WITHIN THE CALENDAR YEAR HAVE AN AGGREGATE VALUE OR
7 AMOUNT IN EXCESS OF \$200.00, TOGETHER WITH THE NAME OF THE
8 CANDIDATE ON WHOSE BEHALF THE EXPENDITURE WAS MADE AND THE DATE
9 AND AMOUNT OF THE EXPENDITURE; AND FOR RELATED PURPOSES.

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

11 SECTION 1. Section 23-15-807, Mississippi Code of 1972, is
12 amended as follows:[WAN1]

13 23-15-807. (a) Each candidate or political committee shall
14 file reports of contributions and disbursements in accordance with
15 the provisions of this section. All candidates or political
16 committees required to report may terminate its obligation to
17 report only upon submitting a final report that it will no longer
18 receive any contributions or make any disbursement and that such
19 candidate or committee has no outstanding debts or obligations.
20 The candidate, treasurer or chief executive officer shall sign
21 each such report.

22 (b) Candidates who are seeking election, or nomination for
23 election, and political committees that make expenditures for the
24 purpose of influencing or attempting to influence the action of

25 voters for or against the nomination for election, or election, of
26 one or more candidates or balloted measures at such election,
27 shall file the following reports:

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

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

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

42 (c) All candidates for judicial office as defined in Section
43 23-15-975, or their political committees, shall file in the year
44 in which they are to be elected, periodic reports which shall be
45 filed no later than the tenth day after April 30, May 31, June 30,
46 September 30 and December 31.

47 (d) Contents of reports. Each report under this article
48 shall disclose:

49 (i) For the reporting period and the calendar year, the
50 total amount of all contributions and the total amount of all
51 expenditures of the candidate or reporting committee which shall
52 include those required to be identified pursuant to item (ii) of
53 this paragraph as well as the total of all other contributions and
54 expenditures during the calendar year. Such reports shall be
55 cumulative during the calendar year to which they relate;

56 (ii) The identification of:

57 1. Each person or political committee who makes a
58 contribution to the reporting candidate or political committee
59 during the reporting period, whose contribution or contributions
60 within the calendar year have an aggregate amount or value in
61 excess of Two Hundred Dollars (\$200.00) together with the date and
62 amount of any such contribution;

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

73 3. Each expenditure made to a person other than a
74 candidate for the purpose of influencing or attempting to
75 influence the action of voters for the nomination for election, or
76 election of any candidate, when such expenditures on behalf of a
77 candidate within the calendar year have an aggregate value or
78 amount in excess of Two Hundred Dollars (\$200.00) together with
79 the name of the candidate on whose behalf the expenditure was made
80 and the date and amount of the expenditure.

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

83 (iv) In addition to the contents of reports specified

84 in items (i), (ii) and (iii) of this paragraph, each political
85 party shall disclose:

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

92 2. Each person or organization who receives an
93 expenditure by a political party or expenditures by a political
94 party during the reporting period when the expenditure or
95 expenditures to the person or organization within the calendar
96 year have an aggregate value or amount in excess of Two Hundred
97 Dollars (\$200.00), together with the date and amount of the
98 expenditure.

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

112 (f) (i) If any contribution of more than Two Hundred
113 Dollars (\$200.00) is received by a candidate or candidate's
114 political committee after the tenth day, but more than forty-eight
115 (48) hours before 12:01 a.m. of the day of the election, the
116 candidate or political committee shall notify the appropriate
117 office designated in Section 23-15-805, within forty-eight (48)
118 hours of receipt of the contribution. The notification shall
119 include:

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

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

137 SECTION 2. The Attorney General of the State of Mississippi
138 shall submit this act, immediately upon approval by the Governor,
139 or upon approval by the Legislature subsequent to a veto, to the

140 Attorney General of the United States or to the United States
141 District Court for the District of Columbia in accordance with the
142 provisions of the Voting Rights Act of 1965, as amended and
143 extended.

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