

By: Representatives Horne, Jennings,
Markham, Rogers, Smith (59th), Masterson,
Reynolds, Warren, Dedeaux, Guice

To: Apportionment and
Elections

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 61

1 AN ACT TO PROHIBIT ANY PERSON FROM RECEIVING, EXPENDING OR
2 SOLICITING CAMPAIGN CONTRIBUTIONS DURING ANY SPECIAL OR REGULAR
3 LEGISLATIVE SESSION; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE
4 OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** No person shall solicit, give or receive
7 campaign contributions in or on the grounds of the New Capitol.

8 **SECTION 2.** Except as otherwise provided in this section, the
9 Governor, the Lieutenant Governor, any member of the Legislature,
10 or any political committee organized in support thereof, shall not
11 receive campaign contributions during any regular or special
12 legislative sessions. This prohibition shall not apply to a
13 regular or special legislative session occurring during the fourth
14 year of a four-year term.

15 **SECTION 3.** Section 23-15-811, Mississippi Code of 1972, is
16 amended as follows:

17 23-15-811. (a) Any candidate or any other person who shall
18 wilfully and deliberately and substantially violate the provisions
19 and prohibitions of this article shall be guilty of a misdemeanor
20 and upon conviction thereof shall be punished by a fine in a sum
21 not to exceed Three Thousand Dollars (\$3,000.00) or imprisoned for
22 not longer than six (6) months or by both fine and imprisonment.

23 In addition to the penalty prescribed in this paragraph, any
24 person who shall violate Section 1 or 2 of this act shall be
25 required to pay any campaign contributions or other monies
26 unlawfully received to the State Treasurer for immediate deposit
27 in the State General Fund.



28 (b) In addition to the penalties provided in paragraph (a)
29 of this section, any candidate or political committee which is
30 required to file a statement or report which fails to file such
31 statement or report on the date in which it is due may be
32 compelled to file such statement or report by an action in the
33 nature of a mandamus.

34 (c) No candidate shall be certified as nominated for
35 election or as elected to office unless and until he files all
36 reports required by this article due as of the date of
37 certification.

38 (d) No candidate who is elected to office shall receive any
39 salary or other remuneration for the office unless and until he
40 files all reports required by this article due as of the date such
41 salary or remuneration is payable.

42 (e) In the event that a candidate fails to timely file any
43 report required pursuant to this article but subsequently files a
44 report or reports containing all of the information required to be
45 reported by him as of the date on which the sanctions of
46 paragraphs (c) and (d) of this section would be applied to him,
47 such candidate shall not be subject to the sanctions of said
48 paragraphs (c) and (d).

49 **SECTION 4.** Sections 1 and 2 of this act shall be codified in
50 Article 23, Chapter 15, Title 23, Mississippi Code of 1972.

51 **SECTION 5.** The Attorney General of the State of Mississippi
52 shall submit this act, immediately upon approval by the Governor,
53 or upon approval by the Legislature subsequent to a veto, to the
54 Attorney General of the United States or to the United States
55 District Court for the District of Columbia in accordance with the
56 provisions of the Voting Rights Act of 1965, as amended and
57 extended.

58 **SECTION 6.** This act shall take effect and be in force from
59 and after the date it is effectuated under Section 5 of the Voting
60 Rights Act of 1965, as amended and extended.

