MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Rosebud

To: Apportionment and Elections

HOUSE BILL NO. 548

AN ACT TO AMEND SECTION 23-15-897, MISSISSIPPI CODE OF 1972, TO PROHIBIT A CANDIDATE, POLITICAL COMMITTEE OR OTHER PERSON FROM PUBLISHING ANY CAMPAIGN MATERIALS THAT CONTAIN THE WORD "RE-ELECT" UNLESS THE CAMPAIGN MATERIALS ARE FOR THE CURRENT INCUMBENT OF THAT OFFICE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-897, Mississippi Code of 1972, is amended as follows:

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

(a) "Campaign materials" include any materials designed to influence voters for or against any candidate, party or measure to be voted on at any election, or containing information about any candidate, party or measure paid for by a candidate, political committee, or independent expenditure which requires disclosure under campaign finance laws.

(b) "Publish" means the act or instance of making campaign material available to the public, or to a list of

subscribers, by mail, telephone, electronic communications platforms, Internet, software applications, printed materials or any other means of distribution.

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

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

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

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

(c) If the message has not been approved by the candidate and no person, political committee or organization is identified as having paid for the publication, the entity producing the campaign materials must be identified.

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

(4) No candidate, political committee or other person shall publish, or knowingly cause to be published, any campaign materials that contain the word "re-elect" or any similar word unless the campaign materials are published by or on behalf of the incumbent running for the office he or she currently holds.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.