MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Ladner

To: Accountability, Efficiency, Transparency

HOUSE BILL NO. 718

AN ACT TO AMEND SECTION 23-15-805, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL CAMPAIGN FINANCE STATEMENTS, REPORTS OF CONTRIBUTIONS AND EXPENDITURES, AND OTHER REPORTS REQUIRED TO BE FILED SHALL BE POSTED ONLINE BY THE SECRETARY OF STATE WITHIN ONE DAY OF RECEIPT OF SUCH REPORTS FROM THE CANDIDATE, CIRCUIT CLERK OR MUNICIPAL CLERK; TO AMEND SECTION 23-15-815, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 23-15-805, Mississippi Code of 1972, is amended as follows:

23-15-805. (a) Candidates for state, state district, and legislative district offices, and every political committee, which makes reportable contributions to or expenditures in support of or in opposition to a candidate for any such office or makes reportable contributions to or expenditures in support of or in opposition to a statewide ballot measure, shall file all reports required under this article with the Office of the Secretary of State.

(b) Candidates for county or county district office, and every political committee which makes reportable contributions to

or expenditures in support of or in opposition to a candidate for such office or makes reportable contributions to or expenditures in support of or in opposition to a countywide ballot measure or a ballot measure affecting part of a county, excepting a municipal ballot measure, shall file all reports required by this section in the office of the circuit clerk of the county in which the election occurs, or directly to the Office of the Secretary of State via facsimile, electronic mail, postal mail or hand delivery. The circuit clerk shall forward copies of all reports to the Office of the Secretary of State within one (1) day of receipt of such reports.

(c) Candidates for municipal office, and every political committee which makes reportable contributions to or expenditures in support of or in opposition to a candidate for such office, or makes reportable contributions to or expenditures in support of or in opposition to a municipal ballot measure shall file all reports required by this article in the office of the municipal clerk of the municipality in which the election occurs, or directly to the Office of the Secretary of State via facsimile, electronic mail, postal mail or hand delivery. The municipal clerk shall forward copies of all reports to the Office of the Secretary of State within one (1) day of receipt of such reports.

(d) (i) The Secretary of State, the circuit clerks and the municipal clerks shall make all reports received under this

subsection available for public inspection and copying and shall preserve the reports for a period of five (5) years.

(ii) Beginning with the 2022 election cycle, all statements, reports of contributions and expenditures, and other reports required to be filed pursuant to this article, shall be posted online by the Secretary of State within one (1) day of receipt of such reports from the candidate, circuit clerk or municipal clerk. The Secretary of State shall implement and maintain an electronic database accessible by the public through the Secretary of State's website that provides the capability of search and retrieval of all statements, reports of contributions and expenditures and other reports required to be filed pursuant to this article.

SECTION 2. Section 23-15-815, Mississippi Code of 1972, is amended as follows:

23-15-815. (a) The Secretary of State shall prescribe and make available forms and promulgate rules and regulations necessary to implement this article.

(b) The Secretary of State, circuit clerks and municipal clerks shall, within forty-eight (48) hours after the time of the receipt by the appropriate office of reports and statements filed with it, make them available for public inspection, and copying at the expense of the person requesting such copying, make them available online as provided in Section 23-15-805 and keep such

designations, reports and statements for a period of * * * five (5) years from the date of receipt.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

ST: Campaign finance reports; require those filed by all candidates to be available online.