MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Evans (91st)

To: Judiciary A;
Apportionment and Elections

HOUSE BILL NO. 897

AN ACT TO PROHIBIT ELECTED AND APPOINTED STATE OFFICERS FROM VISUALLY OR AUDIBLY PARTICIPATING IN PUBLIC ADVERTISING THAT HAS BEEN FUNDED, IN WHOLE OR IN PART, WITH LEGISLATIVE APPROPRIATIONS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) Except as otherwise provided under this section, a person elected or appointed to any state office, agency, department, institution, board or commission may not visually or audibly participate in the making of any public advertisement, regardless of the purpose or intended audience of the advertisement, if any funds appropriated by the Legislature are used to defray the expenses, in whole or in part, of the advertisement.

(2) Participation in the making of a public advertisement prohibited under subsection (1) includes the following:

(a) The use of any still or motion visual images in which the elected or appointed state officer may be seen; and

(b) The use of any advertising medium that allows the elected or appointed state officer's voice to be heard, regardless

of whether or not a still or motion image of the state officer may be seen.

(3) For purposes of this section, the term "advertisement" includes any form of communication publicly promoting a product or service or intending to persuade an audience, including, but not necessarily limited to, television, radio, Internet, film, newspaper, periodical, direct mail or outdoor advertising.

(4) This section may not be construed to prohibit any elected or appointed officer from participating in the development, planning and implementation of any advertisement that has been funded, in whole or in part, by legislative appropriations if neither the image nor voice of the state officer are included in the advertisement as it is presented to the public.

SECTION 2. Section 1 of this act shall be codified as a new section in Chapter 1, Title 25, Mississippi Code of 1972.

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

ST: State advertising; prohibit elected and appointed officers from publicly participating in.