

MISSISSIPPI LEGISLATURE

2024 Regular Session

To: Public Health and Human Services; Judiciary B

By: Representative Newman

## House Bill 31

AN ACT TO PROHIBIT THE ADVERTISEMENT IN ANY FORM IN THIS STATE FOR AN ABORTION OR ABORTION RELATED SERVICE THAT IS PROHIBITED BY STATE LAW; TO AMEND SECTION 97-3-5, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTY FOR PROVIDING MEDICATION OR INSTRUMENTS THAT ASSIST IN PROCURING AN ABORTION THAT IS PROHIBITED BY STATE LAW; AND FOR RELATED PURPOSES.

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

**SECTION 1.** (1) Any person who writes, prints, publishes, distributes or causes to be written, printed, published or distributed in this state, information in any type of medium, including, but not limited to, a card, circular, pamphlet, billboard, advertisement, post or webpage on the Internet or other format that states when, where or how an abortion that is prohibited by state law or any abortion related service that is prohibited by state law can be obtained in this state or out of this state shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), by imprisonment in the county jail not exceeding six (6) months, or both.

(2) If a for profit or nonprofit business, organization, corporation or other entity violates the provisions of subsection (1) of this section, such business, organization or entity shall be guilty of a felony, and upon conviction, shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than Twenty Thousand Dollars (\$20,000.00), by imprisonment

in the custody of the Department of Corrections for not less than eighteen (18) months nor more than three (3) years, or both.

**SECTION 2.** Section 97-3-5, Mississippi Code of 1972, is amended as follows:

97-3-5. A person who sells, lends, gives away, or in any manner exhibits, or offers to sell, lend, or give away, or has in his or her possession with intent to sell, lend, or give away, or advertises or offers for sale, loan or distribution any instrument or article, or any drug or medicine, for causing \* \* \* an abortion that is prohibited by state law; or who writes or prints, or causes to be written or printed, a card, circular, pamphlet, advertisement, or notice of any kind, or gives information orally, stating when, where, how, of whom, or by what means such article or medicine can be purchased or obtained, or who manufactures any such article or medicine, is guilty of a misdemeanor, and, on conviction, shall be punished by a fine not less than \* \* \* Five Hundred Dollars (\$500.00) nor more than \* \* \* One Thousand Dollars (\$1,000.00), and by imprisonment in the county jail not exceeding \* \* \* six (6) months.

**SECTION 3.** This act shall take effect and be in force from and after July 1, 2024.

