

**Adopted  
AMENDMENT NO 1 TO COMMITTEE AMENDMENT NO 1 PROPOSED  
TO**

**Senate Bill No. 3038**

**BY: Representative Franks**

1           **AMEND** by inserting the following section immediately before  
2 the next to last section in the amendment and renumbering the  
3 succeeding sections:

4           "**SECTION** \_\_\_\_\_. All expenditures of funds appropriated by  
5 this act for the purposes of advertising through the media shall  
6 comply with the provisions of this section. All notices,  
7 advertisements, or announcements designed to accomplish  
8 distribution of vital information paid for wholly or in part  
9 through funds appropriated by this act and distributed through the  
10 media shall be placed according to a formula based upon the  
11 following criteria:

12                   (a) Outlets of the Mississippi Public Broadcasting  
13 System shall receive twenty percent (20%) of all expenditures  
14 allotted for any advertising campaign undertaken by the agency to  
15 which funds are appropriated by this act. All distribution of  
16 information undertaken by the Mississippi Broadcasting System  
17 under these requirements shall conform to the accepted standards  
18 of information distribution common to public media.

19                   (b) Media outlets, other than outlets of the  
20 Mississippi Public Broadcasting System, shall receive placement of  
21 such notices through the following method of distribution and  
22 based upon commonly accepted boundaries of distribution:

23                   (i) Newspapers. Newspapers demonstrating  
24 established market reach through verifiable and auditable  
25 circulation numbers shall receive twenty-five percent (25%) of all  
26 expenditures allotted for distribution of vital information, and  
27 such expenditures to the individual newspapers shall be determined  
28 and prorated based upon the verifiable and auditable share of  
29 total circulation within the individual counties. This  
30 requirement does not replace the requirements and systems  
31 currently in place regarding legal notices in the newspapers.

32                   (ii) Radio. Radio stations demonstrating  
33 established market reach through verifiable and auditable market  
34 share information as recorded through reputable and established  
35 rating services shall receive twenty percent (20%) of all  
36 expenditures allotted for such distribution of vital information,  
37 and such expenditures to the individual stations shall be  
38 determined and prorated based upon the verifiable and auditable  
39 share of total market reach within the individual counties.

40                   (iii) Television. Television stations and  
41 television cable outlets demonstrating established market reach  
42 through verifiable and auditable market share information as  
43 recorded through reputable and established rating services shall  
44 receive twenty percent (20%) of all expenditures allotted for such  
45 distribution of vital information, and such expenditures to the  
46 individual stations shall be determined and prorated based upon  
47 the verifiable and auditable share of total market reach within  
48 the individual demonstrated market reach area of the station or  
49 cable outlet.

50                   (iv) Magazines. Magazines demonstrating  
51 established market reach through verifiable and auditable  
52 circulation numbers shall receive ten percent (10%) of all  
53 expenditures allotted for such distribution of vital information,  
54 and such expenditures to the individual magazines shall be

55 determined and prorated based upon the verifiable and auditable  
56 circulation numbers within the counties. If no magazine exists  
57 which meets the criteria stated above, the portion of those funds  
58 so allotted shall be distributed among the other media outlets  
59 equally.

60                   (v) Electronic media. Electronic media  
61 demonstrating established market reach through verifiable and  
62 auditable circulation numbers shall receive five percent (5%) of  
63 all expenditures allotted for such distribution of vital  
64 information, and such expenditures to the individual electronic  
65 media outlets shall be determined and prorated based upon the  
66 verifiable and auditable circulation numbers within the counties.  
67 If no electronic media exists which meets the criteria stated  
68 above, the portion of those funds so allotted shall be distributed  
69 equally among the other media outlets.

70           Provisions of this section do not apply to the placement of  
71 advertisements in national media outlets to recruit economic  
72 development or to promote tourism in the state."