

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

Senate Bill No. 3040

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."