MISSISSIPPI LEGISLATURE

HOUSE BILL NO. 453
(As Sent to Governor)

To: Tourism

By: Representatives Currie, Felsher, Crawford, Turner

AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATIONS" AND "MARKETING ACTIVITIES" FOR THE PURPOSES OF THIS ACT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO CERTAIN NONPROFIT MUSEUMS TO ASSIST IN PAYING COSTS ASSOCIATED WITH ADVERTISING AND OTHER FORMS OF PROMOTING AND PUBLICIZING NONPROFIT MUSEUMS AND MUSEUM RELATED ACTIVITIES, AND REPAIRS AND RENOVATIONS OF AND UPGRADES AND IMPROVEMENTS TO SUCH MUSEUMS FOR HEALTH AND SAFETY PURPOSES RELATED TO THE CORONAVIRUS DISEASE 19; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION TO BE USED FOR THE PURPOSE OF MAKING REVITALIZATION GRANTS TO MISSISSIPPI COMMUNITIES; TO DESIGNATE "ONE MISSISSIPPI," WRITTEN BY STEVE AZAR, AS THE CONTEMPORARY MUSIC GENRE OFFICIAL STATE SONG; TO ESTABLISH THE MISSISSIPPI STATE SONGS STUDY COMMITTEE TO DEVELOP VARIOUS GENRES OF OFFICIAL SONGS FOR THE STATE OF MISSISSIPPI; TO PRESCRIBE THE MEMBERSHIP OF THE COMMITTEE AND TO PROVIDE FOR ITS ORGANIZATION AND MEETINGS; TO REQUIRE THE COMMITTEE TO SUBMIT A REPORT OF ITS FINDINGS TO THE LEGISLATURE NO LATER THAN DECEMBER 31, 2022; TO REPEAL CHAPTER 654, LAWS OF 1962, WHICH DESIGNATED "GO MISSISSIPPI" AS THE OFFICIAL STATE SONG; AND FOR RELATED PURPOSES.

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

SECTION 1. The COVID-19 public health emergency has had a significant negative impact on Mississippi's tourism industry and its nonprofit museums. American Rescue Plan Act funds are
specifically targeted toward assisting in the recovery of the
tourism and hospitality sectors. The funds provided in this act
are necessary expenditures related to COVID-19, the purpose of
which is to publicize the resumption of tourism activities and
steps taken to ensure a safe tourism experience and to support the
travel and hospitality economy of Mississippi.

SECTION 2. (1) As used in this section, the following words
and phrases shall have the meanings ascribed in this section
unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by
local and private laws of the State of Mississippi for the purpose
of tourism promotion, funded by special local tax levies, and
staffed with professionals engaged in out-of-state tourism
marketing and tourism product development for municipalities,
counties and/or regions; or

(ii) Publicly-funded local organizations that
engage in out-of-state tourism marketing and tourism development
for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing
and advertising, including digital media, broadcast media and
printed media, including travel publications, production, travel
market sector analysis, consumer travel sentiment, public
relations, communication strategy, direct sales bookings, group
tour bookings, tourism development and administrative costs to
execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 1 of this act.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under this section and shall disburse funds as follows:

(i) Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars ($9,427,557.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year, and

(ii) Not more than Twenty Million Five Hundred Seventy-two Thousand Four Hundred Forty-three Dollars
($20,572,443.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than Two Hundred Fifty Thousand Dollars ($250,000.00) under this subparagraph (ii).

(b) Within fifteen (15) days after the effective date of this act, the Department of Finance and Administration shall distribute the funds allocated under paragraph (a) of this subsection (2) to eligible destination marketing organizations. Before receiving funds under this subsection (2), a destination marketing organization must certify to the Department of Finance and Administration that:

(i) The funds will only be used for marketing activities, and

(ii) The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and
(iii) The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026.

(c) Destination marketing organizations receiving funds under this subsection (2) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this subsection (2) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(d) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 3. (1) The Department of Finance and Administration shall establish a program for the purpose of providing assistance to Mississippi nonprofit museums as provided in this section.
Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to nonprofit museums located in municipalities with a population of not more than fifty thousand (50,000) according to the latest federal decennial census to assist in paying costs associated with advertising and other forms of promoting and publicizing nonprofit museums and museum related activities, and repairs and renovations of and upgrades and improvements to such museums for health and safety purposes related to the Coronavirus Disease 19. Of the monies disbursed by the Department of Finance and Administration under this section, twenty-five percent (25%) of such monies shall be used to provide assistance for requests for assistance of less than Three Hundred Thousand Dollars ($300,000.00); thirty-five percent (35%) of such monies shall be used to provide assistance for requests for assistance of Three Hundred Thousand Dollars ($300,000.00) or more but less than Seven Hundred Thousand Dollars ($700,000.00) and forty percent (40%) of such monies shall be used to provide assistance for requests for assistance of Seven Hundred Thousand Dollars ($700,000.00) or more. A museum desiring assistance under this section must submit an application to the Department of Finance and Administration. The application must include a
description of the purposes for which the assistance is requested, the amount of the assistance requested and any other information required by the department.

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 4. (1) The Department of Finance and Administration shall establish a program for the purpose of providing funds to Mississippi Main Street Association as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to Mississippi Main Street Association to be used for the purpose of making revitalization grants to Mississippi communities as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Communities</th>
<th>Grant Amount</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>More than 25,000</td>
<td>$125,000.00</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td></td>
<td>Not more than 25,000</td>
<td>$100,000.00</td>
<td>$4,000,000.00</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td>$5,000,000.00</td>
</tr>
</tbody>
</table>

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 5. (1) The Legislature finds that:
(a) The State of Mississippi is known as the "Birthplace of America's Music," and is credited for producing Elvis Presley, the "King of Rock and Roll," Jimmie Rodgers, the "Father of Country Music," and B.B. King, the "King of the Blues," and these Mississippi trailblazers, alongside hundreds of others, have impacted and influenced the music industry like no others in modern history; and

(b) That many states of the United States have two (2) or more official state songs, including: Tennessee; West Virginia; Arkansas; Florida; Louisiana and South Carolina; and

(c) Mississippi's musical heritage has positioned the Magnolia State as a true renaissance of musical genres, scaling past, present and even future trends, and from rock and roll, country and the blues, to gospel, opera and everything in between, Mississippi has not only transformed the course of America's music, it has revolutionized it, and because of this, it is important that the official songs of the State of Mississippi truly reflect the state's phenomenal musical heritage, while enthusiastically looking forward to its future; and

(d) The Legislature desires to provide the state with numerous state songs so that Mississippians may enjoy state songs that are appropriate for all occasions, events and daily activities.
The lyrics and music to the song "One Mississippi," written by Steve Azar, are designated as the contemporary music genre official song of the State of Mississippi.

SECTION 6. (1) There is established the Mississippi State Songs Study Committee for the purpose of developing and reporting to the Legislature its recommendation for various genres of official songs of the State of Mississippi, including, but not limited to, country, rhythm and blues, rock and roll and gospel. The official songs of the State of Mississippi shall honor the past while embracing the promise of the future.

(2) The committee shall consist of the following members:

(a) The Director of the Division of Tourism of the Mississippi Development Authority;
(b) The Executive Director of the Mississippi Tourism Association;
(c) The Chair of the House of Representatives Tourism Committee;
(d) The Chair of the Senate Tourism Committee;
(e) The Executive Director of the Mississippi Arts Commission; and
(f) The Director of the two (2) Mississippi Museums.

The chair of the committee shall be chosen by majority vote of the members of the committee. The committee shall meet as soon as practicable after the effective date of this act upon the joint call of the Speaker of the House of Representatives and the...
Lieutenant Governor, and shall organize for business. A majority vote of the members of the committee shall be required for the adoption of any reports and recommendations.

(3) The committee shall have the following functions and duties:

(a) To hold regular public meetings when and where it sees fit;

(b) To receive written public comments in a manner and under the terms and conditions as it sees fit;

(c) To collect, examine and consider all information that it determines may be helpful in making a recommendation for the various genres of official songs for the State of Mississippi;

(d) To consult with experts, representatives of organizations and associations, and others, as it sees fit, whose knowledge or expertise may assist the committee in making its recommendation;

(e) To make any inquiries and conduct any business that may assist the committee in developing the various genres of official songs for the State of Mississippi;

(f) Keep minutes of its meetings, and make those minutes available to the public; and

(g) To make a written recommendation for the various genres of official songs for the State of Mississippi, which shall be presented to the Legislature not later than December 31, 2022.
(4) Members of the committee shall receive no compensation for their service on the committee, but may receive reimbursement for mileage and actual expenses as provided in Section 25-3-41, Mississippi Code of 1972, to the extent that funds are available for that purpose.

SECTION 7. Chapter 654, Laws of 1962, which designated "Go Mississippi" as the official song of the State of Mississippi, is repealed.

SECTION 8. This act shall take effect and be in force from and after July 1, 2022.