

## Senate Amendments to House Bill No. 419

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

5           **SECTION 1.** Section 57-123-7, Mississippi Code of 1972, is  
6 brought forward as follows:

7           57-123-7. (1) As used in this section, the following words  
8 and phrases shall have the meanings ascribed in this section  
9 unless the context clearly indicates otherwise:

10                   (a) "Destination marketing organization" means:

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

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

20                   (b) "Marketing activities" means multimedia marketing  
21 and advertising, including digital media, broadcast media and

22 printed media, including travel publications, production, travel  
23 market sector analysis, consumer travel sentiment, public  
24 relations, communication strategy, direct sales bookings, group  
25 tour bookings, tourism development and administrative costs to  
26 execute marketing activities related to the business disruption  
27 effects of the Coronavirus Disease 2019 as expressed in Section 1  
28 of Chapter 399, Laws of 2022.

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

41                       (i) Not more than Nine Million Four Hundred  
42 Twenty-seven Thousand Five Hundred Fifty-seven Dollars  
43 (\$9,427,557.00) of such monies shall be allocated to destination  
44 marketing organizations in a manner that will provide monies to a  
45 destination marketing organization in an amount equal to  
46 seventy-five percent (75%) of the destination marketing

47 organization's marketing and advertising expenditures during the  
48 2019 fiscal year, and

49                   (ii) Not more than Twenty Million Five Hundred  
50 Seventy-two Thousand Four Hundred Forty-three Dollars  
51 (\$20,572,443.00) of such monies shall be allocated to destination  
52 marketing organizations based on the proportion that a destination  
53 marketing organization's contribution toward total tourism  
54 visitors in the state according to the 2019 Fiscal Year Visit  
55 Mississippi Visitors Profile Report bears to all destination  
56 marketing organizations' contributions toward total tourism  
57 visitors in the state according to the 2019 Fiscal Year Visit  
58 Mississippi Visitors Profile Report. However, a destination  
59 marketing organization shall not receive an amount less than Two  
60 Hundred Fifty Thousand Dollars (\$250,000.00) under this  
61 subparagraph (ii).

62                   (b) Within fifteen (15) days after July 1, 2022, the  
63 Department of Finance and Administration shall distribute the  
64 funds allocated under paragraph (a) of this subsection (2) to  
65 eligible destination marketing organizations. Before receiving  
66 funds under this subsection (2), a destination marketing  
67 organization must certify to the Department of Finance and  
68 Administration that:

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

71                   (ii) The destination marketing organization will  
72 comply with applicable federal and state regulations and  
73 requirements related to American Rescue Plan Act funds, and

74                   (iii) The destination marketing organization will  
75 obligate all funds by December 31, 2024, and fully expend all  
76 funds by December 31, 2026.

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

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

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

96           **SECTION 2.** This act shall take effect and be in force from  
97 and after July 1, 2023, and shall stand repealed on June 30, 2023.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO BRING FORWARD SECTION 57-123-7, MISSISSIPPI CODE OF  
2 1972, WHICH ESTABLISHES A PROGRAM TO ASSIST DESTINATION MARKETING  
3 ORGANIZATIONS; AND FOR RELATED PURPOSES.

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Eugene S. Clarke  
Secretary of the Senate