

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 419

BY: Committee

**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.

**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.

