

DECLARATION OF EMERGENCY

Department of Culture and Recreation Office of Tourism

Non-Major Events Incentive Fund (LAC 25:V. Chapter 9)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:962 et seq., and pursuant to the authority set forth in R.S. 51:1261 the Lieutenant Governor declares an emergency to exist and adopts by emergency process the attached Rule relative to the administration of the Non-Major Events Incentive Fund program by the Louisiana Office of Tourism (LOT).

Of the many sectors that the pandemic has severely impacted, tourism is one of the most affected. To continually support the tourism industry and lay the groundwork for a strong and equitable industry and promote employment opportunities for all citizens throughout the state through the orderly but accelerated development of facilities for tourism, travel and hospitality, the legislator authorized the emergency enactment of the major events incentive fund program. This Emergency Rule shall be effective October 1, 2023, and shall remain in effect for a period of 180 days unless renewed by the office or until adoption of the final rules, whichever occurs first.

Title 25

CULTURAL RESOURCES

Part V. Office of Tourism

Chapter 9. Event Incentive Fund Program

§901. Purpose

A. Act 751 of the 2022 Regular Legislative Session transferred from the Department of Economic Development to Lt. Governor Office of Cultural, Recreation and Tourism, (LOT) the administration of the Events Incentive Fund. LOT is authorized by Louisiana Revised Statute 51:1261 (R.S. 51:1261) to provide financial incentives for events held in Louisiana. In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:962 et seq., and pursuant to the authority set forth in Act 751, the Lieutenant Governor declares an emergency to exist and adopts by emergency process the attached Rule relative to the administration of the Events Incentive Fund ("Fund") by the Louisiana Office of Tourism (LOT). The mission of the LOT is to:

1. promote and assist expansion of tourism and the tourism industry in Louisiana;
2. increase employment opportunities for all citizens throughout the state through the orderly but accelerated development of facilities for tourism, travel and hospitality;
3. invite visitors from this nation and foreign countries to visit Louisiana; and
4. conduct an ongoing promotional campaign of information, advertising and publicity to create and sustain a positive image and understanding of Louisiana.

B. The purpose of the Events Incentive Program (EIP) is for attracting, planning, marketing, and conducting events.

C. The application materials, program guidelines, and criteria set forth in this Part, which governs the EIP, will be developed based on the enacting legislation for the program, Act 751 of the 2022 Regular Legislative Session.

D. This Rule shall have the force and effect of law on October 1, 2023 and will remain in effect for the maximum period allowed by the Administrative Procedure Act, unless

renewed by the LOT, or until permanent rules are promulgated in accordance with law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1261

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49:

§903. Construction of Rules

A. The LOT shall administer the fund in a manner consistent with the requirements in R.S. 51:1261. R.S. 51:1261 shall control over any conflicting provision of these administrative rules.

B. The LOT may, in their sole discretion, seek administrative oversight through the Division of Administration or the legislative committee under its jurisdiction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1261

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49:

§905. Definitions

A. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

Applicant—a municipality, parish, official tourism commissions or convention and visitor bureau, official destination marketing organization and nonprofit corporation.

Official Destination Marketing Organization—the political subdivision of the state authorized to provide destination marketing and management services for a jurisdiction by promoting a town, city, region, or parish in order to increase the number of visitors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1261.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49: 49:

§907. Eligibility

A. An applicant is eligible to receive funding through the Events Incentive Fund only if all the following apply:

1. The event is not a qualified major event as defined by R.S. 51:1260.

2. The event is not held more than one time per year in Louisiana or any other state. The provisions of this Paragraph shall not apply to events occurring twice in one year due to a natural disaster, an act of God, force majeure, a catastrophe, pandemic, or such other occurrence which causes the event to move or be rescheduled.

AUTHORITY NOTE: Promulgated in accordance with R.S.

51:1261 HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49:

§909. Application for Event Incentive Funding

A. LOT will provide a standard application process to be used to apply for funding under this program.

B. The application for the Event Incentive Funding must contain, but is not limited to the following:

1. A complete and signed application with required documentation.

2. Required documentation shall identify:

a. event name;

b. date or date range of the event;

c. the total anticipated cost of the event;

d. the amount and anticipated sources of funding for the event;

e. an economic analysis indicates the event has an anticipated impact of \$350,000 or greater to the state;

f. a proposal for the utilization of grant funding.

C. The event must be co-branded. The applicant must include within the proposal a line item, identifying the activity and budget for advertising and promoting of LOT. The value of this line item shall be a minimum of 10% of the grant award. The following non-exhaustive forms of advertising are acceptable:

1. placing of LOT's logo with click-thru link to <https://www.ExploreLouisiana.com>, on the home page of the event's website;

2. a 30-second commercial spot placement leading up to and during the event, if televised;

3. an advertisement printed in all associated publications of the event;

4. sponsorship mentioned during televised or audio interviews;

5. placement of logo in materials promoting the event on the:

- a. official event website;
- b. print ad placement advertising the event;
- c. tv/radio advertisements promoting the event;
- d. email correspondence to event participants;
- e. billboards promoting the event.

D. The advertising shall extend through the duration of the grant term, which will begin on the date of the grantee's award notice and ends no sooner than 30 days after the event.

E. If LOT requires additional information from the applicant in order to review/approve the application, the applicant will be notified via email and must respond within 10 business days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1261.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49: 49:

§911. Application Deadline

A. The application and required documentation should be received no later than one hundred and eighty days prior to the event.

B. Applications submitted outside this time limit may not be reviewed.

C. The application deadline stated in the section shall be waived until such time when the permanent rules are promulgated in accordance with law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1261.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49: 49:

§913. Award amount

A. A municipality, parish, or nonprofit corporation hosting the event shall be eligible to receive up to twenty-five percent of the total cost incurred by the entity for the event, not to exceed two hundred fifty thousand dollars per grant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1261.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49: 49:

§915. Post Event Reporting

A. Within the time provided in the agreement, the applicant shall submit a statement to the lieutenant governor which shall include the following:

1. the designated targeted area of the event;
2. to the extent possible, the economic impact of the event to the state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1261.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49:

§917. Recapture

A. Any funds found not to be properly spent in accordance with the terms of this chapter and regulations of the funding source may be subject to recapture or considered applicant's future funding.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:1261.

HISTORICAL NOTE: Promulgated by the Department of Culture, Recreation and Tourism, Office of Tourism, LR 49:

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