

1 H.244

2 Introduced by Representatives Rachelson of Burlington and Waters Evans of

3 Charlotte

4 Referred to Committee on

5 Date:

6 Subject: Public property and supplies; Department of Buildings and General

7 Services; contracting; advertising; media; news organizations; radio;

8 television

9 Statement of purpose of bill as introduced: This bill proposes to require that
10 the State expend a minimum of 80 percent of the total annual value of its
11 contracting for print, digital, radio, and television advertising services on local
12 organizations.

13 An act relating to State contracting standards for advertising

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 ~~Sec. 1. 29 V.S.A. § 902(a) is amended to read:~~

16 (a) The Commissioner of Buildings and General Services shall contract for
17 and make all purchases, including all fuel, supplies, materials, and equipment,
18 for all departments, offices, institutions, and other agencies of the State and
19 ~~counties. However, he or she the Commissioner may delegate authority to~~

1 ~~these governmental agencies to purchase directly individually approved types~~
2 and classes of items when the interests of the State are best served thereby,
3 provided that any such delegated authority shall be subject to the same
4 limitations set forth in subsections 910(a)–(c) of this subchapter as apply to the
5 Commissioner. ~~He or she~~ The Commissioner shall also contract for and
6 purchase materials for the repair and for the construction and equipment of
7 new buildings to be erected by the State, unless otherwise provided. ~~He or she~~
8 The Commissioner may purchase such supplies, materials, and equipment as
9 are requisitioned by the supervisors of the natural resources conservation
10 districts. ~~He or she~~ The Commissioner may also cooperate with and advise
11 officials of any political subdivision of the State or any institution of higher
12 education chartered in Vermont and accredited or holding a certificate of
13 approval from the State Board of Education in their purchase of any of the
14 supplies, materials, and equipment needed by the political subdivision or
15 institution of higher education, and may act as the agent of the political
16 subdivision at the request of the authorized officials or agent thereof in the
17 purchase of supplies, materials, and equipment.

18 Sec. 2. 29 V.S.A. § 910 is added to read:

19 § 910. STATE CONTRACTS FOR ADVERTISING

20 (a) When contracting for print or digital advertising services for the State
21 or its agencies, departments, instrumentalities, or institutions, the

1 ~~Commissioner of Buildings and General Services shall contract with local~~
2 news organizations for not less than 80 percent of the total annual value of the
3 print or digital advertising services.

4 (b) When contracting for radio or television advertising services for the
5 State or its agencies, departments, instrumentalities, or institutions, the
6 Commissioner of Buildings and General Services shall contract with local
7 broadcast organizations for not less than 80 percent of the total annual value of
8 the radio or television advertising services.

9 (c) Notwithstanding subsections (a) and (b) of this section, the
10 Commissioner of Buildings and General Services may exclude from the total
11 annual value of advertising services any advertisement focused on tourism.

12 (d) The Commissioner of Buildings and General Services shall maintain a
13 list of local news organizations and local broadcast organizations.

14 (e) As used in this section:

15 (1) “Local broadcast organization” means an organization licensed to
16 broadcast in the State by the Federal Communications Commission.

17 (2) “Local news organization” means an organization that:

18 (A) engages professionals to create, edit, produce, and distribute
19 original content concerning matters of public interest through reporting
20 activities,

1 ~~(B) employs a full-time employee who dedicates at least 30 hours a~~
2 week to providing coverage of an area of the State for dissemination to the
3 local or State community and lives within 50 miles of the coverage area;

4 (C)(i) has published at least one print publication per month over the
5 previous 12 months and either holds a valid U. S. Postal Service periodical
6 permit or dedicates at least 25 percent of its content to local news; or

7 (ii) on average over the previous 12 months, has published online
8 at least one piece per week about the local or State community and has at least
9 33 percent of its online audience in Vermont;

10 (D) has disclosed in its print publication or on its website its
11 beneficial ownership or, in the case of a nonprofit entity, its board of directors;

12 (E) in the case of an organization that is exempt from taxation under
13 26 U.S.C. § 501(c)(3), declares as its stated mission in its filings with the
14 Internal Revenue Service the coverage of local or State news; and

15 (F) over the previous calendar year did not receive more than
16 50 percent of its gross receipts from political action committees, other entities
17 described in 26 U.S.C. § 527, or from organizations exempt from taxation
18 under 26 U.S.C. § 501(c)(4), (c)(5), or (c)(6).

1 ~~Sec. 3. 29 V.S.A. § 911 is added to read:~~

2 § 911. CONTRACTS FOR ADVERTISING; REPORTING

3 Annually, on or before June 30, the Commissioner of Buildings and
4 General Services shall submit to the General Assembly a report summarizing
5 any advertising services purchased by the State and its agencies, departments,
6 instrumentalities, or institutions during the preceding fiscal year, including a
7 summary of the amounts spent by entity on advertising services and where
8 those funds were spent.

9 Sec. 4. EFFECTIVE DATE

10 ~~This act shall take effect on July 1, 2025.~~

Sec. 1. 29 V.S.A. § 902(a) is amended to read:

(a) The Commissioner of Buildings and General Services shall contract for and make all purchases, including all fuel, supplies, materials, and equipment, for all departments, offices, institutions, and other agencies of the State and counties. However, ~~he or she~~ the Commissioner may delegate authority to those governmental agencies to purchase directly individually approved types and classes of items when the interests of the State are best served thereby, provided that any such delegated authority shall be subject to the same limitations set forth in subsections 910(a)–(c) of this subchapter as apply to the Commissioner. ~~He or she~~ The Commissioner shall also contract for and purchase materials for the repair and for the construction and equipment of

*new buildings to be erected by the State, unless otherwise provided. ~~He or she~~
The Commissioner may purchase such supplies, materials, and equipment as
are requisitioned by the supervisors of the natural resources conservation
districts. ~~He or she~~ The Commissioner may also cooperate with and advise
officials of any political subdivision of the State or any institution of higher
education chartered in Vermont and accredited or holding a certificate of
approval from the State Board of Education in their purchase of any of the
supplies, materials, and equipment needed by the political subdivision or
institution of higher education, and may act as the agent of the political
subdivision at the request of the authorized officials or agent thereof in the
purchase of supplies, materials, and equipment.*

Sec. 2. 29 V.S.A. § 910 is added to read:

§ 910. STATE CONTRACTS FOR ADVERTISING

*(a) When contracting for print or digital advertising services for the State
or its agencies, departments, instrumentalities, or institutions, the
Commissioner of Buildings and General Services shall contract with local
news organizations for not less than 70 percent of the total annual value of the
print or digital advertising services.*

*(b) When contracting for radio or television advertising services for the
State or its agencies, departments, instrumentalities, or institutions, the
Commissioner of Buildings and General Services shall contract with local*

broadcast organizations for not less than 70 percent of the total annual value of the radio or television advertising services.

(c) Notwithstanding subsections (a) and (b) of this section, the Commissioner of Buildings and General Services may exclude from the total annual value of advertising services any advertisement focused on tourism and any employment search or job posting.

(d) The Commissioner of Buildings and General Services shall maintain a list of local news organizations and local broadcast organizations.

(e) As used in this section:

(1) “Local broadcast organization” means an organization licensed to broadcast in the State by the Federal Communications Commission.

(2) “Local news organization” means an organization that:

(A) engages professionals to create, edit, produce, and distribute original content concerning matters of public interest through reporting activities;

(B) employs a full-time employee who dedicates at least 30 hours a week to providing coverage of an area of the State for dissemination to the local or State community and lives within 50 miles of the coverage area;

(C)(i) has published at least one print publication per month over the previous 12 months and either holds a valid U. S. Postal Service periodical permit or dedicates at least 25 percent of its content to local news; or

(ii) on average over the previous 12 months, has published online at least one piece per week about the local or State community and has at least 33 percent of its online audience in Vermont;

(D) has disclosed in its print publication or on its website its beneficial ownership or, in the case of a nonprofit entity, its board of directors;

(E) in the case of an organization that is exempt from taxation under 26 U.S.C. § 501(c)(3), declares as its stated mission in its filings with the Internal Revenue Service the coverage of local or State news; and

(F) over the previous calendar year did not receive more than 50 percent of its gross receipts from political action committees, other entities described in 26 U.S.C. § 527, or from organizations exempt from taxation under 26 U.S.C. § 501(c)(4), (c)(5), or (c)(6).

Sec. 3. 29 V.S.A. § 911 is added to read:

§ 911. CONTRACTS FOR ADVERTISING; REPORTING

Annually, on or before June 30, the Commissioner of Buildings and General Services shall submit to the General Assembly a report summarizing any advertising services purchased by the State and its agencies, departments, instrumentalities, or institutions during the preceding fiscal year, including a summary of the amounts spent by entity on advertising services and where those funds were spent.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2025.