

By Senator Margolis

35-1039-04

1                                   A bill to be entitled  
2           An act relating to regional cultural  
3           facilities; amending s. 265.702, F.S.; revising  
4           criteria used by the Division of Cultural  
5           Affairs of the Department of State in awarding  
6           certain grants; extending the period over which  
7           an award limitation applies; providing for  
8           certain project costs to increase over the  
9           original proposed cost; authorizing local  
10          governments to use award funds as reimbursement  
11          for funds previously expended; providing an  
12          effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Subsections (2), (4), (7), and (8) of  
17          section 265.702, Florida Statutes, are amended to read:

18           265.702 Regional cultural facilities; grants for  
19          acquisition, renovation, or construction; funding; approval;  
20          allocation.--

21           (2) A county, municipality, or qualified corporation  
22          may apply for a grant of state funds for the acquisition,  
23          renovation, or construction of a regional cultural facility.  
24          As used in this section, the term "qualified corporation"  
25          means a corporation that is designated as a not-for-profit  
26          corporation pursuant to s. 501(c)(3) or s. 501(c)(4) of the  
27          Internal Revenue Code, ~~that~~ is described in and allowed to  
28          receive contributions under s. 170 of the Internal Revenue  
29          Code, and ~~that~~ is a corporation not for profit incorporated  
30          under chapter 617.

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1           (4) The Florida Arts Council shall review each  
2 application for a grant to acquire, renovate, or construct a  
3 regional cultural facility which is submitted under subsection  
4 (2) and shall submit annually to the Secretary of State for  
5 approval a list of all applications received and a list of all  
6 projects that are recommended by the council for the award of  
7 grants, arranged in order of priority. The primary  
8 considerations for the award of a grant are the quality of the  
9 proposed project and the reliability of the prospect of  
10 achieving the match required by subsection (2).The division  
11 may allocate grants only for regional cultural facilities that  
12 are approved by the secretary or for which funds are  
13 appropriated by the Legislature. Regional cultural facilities  
14 that are approved and recommended by the Secretary of State  
15 but are not funded by the Legislature shall be retained on the  
16 project list for the following grant cycle only. For each  
17 project that is retained, such information as the department  
18 requires must be submitted by the established deadline date of  
19 the latest grant cycle, in order to adequately reflect the  
20 most current status of the regional cultural facility.

21           (7) The annual amount of a grant made under this  
22 section may not exceed the lesser of \$2.5 million or 10  
23 percent of the total costs of the regional cultural facility.  
24 The total amount of the grants awarded to a regional cultural  
25 facility in a 10-year ~~5-year~~ period may not exceed the lesser  
26 of \$10 million or 10 percent of the total costs of a regional  
27 cultural facility. The total cost of a regional cultural  
28 facility must be calculated with respect to the primary scope  
29 of the original proposal as submitted under this section. The  
30 total cost may be increased by the amount of additions or  
31 modifications of the project to a maximum of 25 percent of the

1 total original proposed cost. Such additions or modifications  
2 may not change the basic nature of the project originally  
3 proposed and may not include the cost of any additions that  
4 change the scope of the regional cultural facility, such as  
5 additional facilities or significant design alterations.

6 (8) If a project commences before the grant of funds  
7 under this section, the funds, when received by the county,  
8 municipality, or qualified corporation that is responsible for  
9 the project, may be used to reimburse the entity for any funds  
10 it has previously paid on the project.

11 (9)(8) The Division of Cultural Affairs may adopt  
12 rules prescribing the criteria to be applied to applications  
13 for grants and rules providing for the administration of this  
14 section.

15 Section 2. This act shall take effect July 1, 2004.

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18 SENATE SUMMARY

19 Revises provisions relating to grants to local  
20 governments for regional cultural facilities. Revises  
21 grant-award criteria. Extends a time period to which an  
22 award limit applies. Allows for project cost increases  
23 and allows a sponsoring entity to reimburse itself for  
24 funds expended prior to receiving a grant. (See bill for  
25 details.)  
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