

Bill No. SB 4

Barcode 262940

CHAMBER ACTION

Senate

House

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The Committee on Governmental Operations (Posey) recommended
the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 265.2867, Florida Statutes, is
created to read:

265.2867 Official state orchestras.--

(1) Any professional symphonic orchestra performing
for the general public and domiciled within the state may
apply for designation as an "Official Orchestra of the State
of Florida" and shall be designated as such if the orchestra
meets the following criteria:

(a) Has been in existence and continually performing
concerts within the state for at least 20 years preceding
designation;

(b) Employees at least 75 full-time professional
musicians;

(c) Regularly participates in community outreach

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1 through education and other outreach programs, at least 50
2 percent of which must be integrated into public school
3 district curricula;

4 (d) Conducts within the state at least 100
5 performances each calendar year, consisting of any combination
6 of performances by the full orchestra and smaller specialized
7 performances by members of the full orchestra;

8 (e) Is either a Tier One or Tier Two orchestra as
9 designated by the American Symphony Orchestra League;

10 (f) Has an annual operating budget of at least \$7.5
11 million; and

12 (g) Regularly broadcasts live performances on radio or
13 television stations in the state.

14 (2)(a) The Florida Arts Council shall accept
15 applications annually for designation as an Official Orchestra
16 of the State of Florida. The council shall recommend to the
17 Secretary of State those orchestras meeting the criteria for
18 designation under this section.

19 (b) In order to retain designation as an Official
20 Orchestra of the State of Florida, the professional symphonic
21 orchestra must continue to meet the designation criteria and
22 to annually certify its compliance to the council. Upon
23 review, if the council determines that the professional
24 symphonic orchestra is not in compliance, the council shall
25 recommend to the Secretary of State that the designation be
26 withdrawn.

27 (3) The Secretary of State shall designate as an
28 Official Orchestra of the State of Florida any professional
29 symphonic orchestra recommended by the Florida Arts Council as
30 meeting the criteria of this section and shall remove such
31 designation when the professional symphonic orchestra is no

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1 longer in compliance with designation criteria.

2 (4) The Division of Cultural Affairs of the Department
3 of State may adopt rules pursuant to ss. 120.536(1) and 120.54
4 necessary to carry out the purposes of this section,
5 including, but not limited to, procedures for accepting
6 applications for designation under this section, review of
7 applications, recommendation and designation, annual
8 certification and review, and removal of designation.

9 Section 2. This act shall take effect upon becoming a
10 law.

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13 ===== T I T L E A M E N D M E N T =====

14 And the title is amended as follows:

15 Delete everything before the enacting clause

16
17 and insert:

18 A bill to be entitled
19 An act relating to the designation of official
20 state orchestras; creating s. 265.2867, F.S.;
21 providing criteria for designation as an
22 "Official Orchestra of the State of Florida";
23 requiring the Florida Arts Council to review
24 applications for and make designation
25 recommendations to the Secretary of State;
26 providing requirements for retaining the
27 designation; requiring the Secretary of State
28 to make designations and to remove designations
29 under certain circumstances; authorizing the
30 Division of Cultural Affairs of the Department
31 of State to adopt rules; providing an effective

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