

By Senator Crist

12-00210-08

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1 A bill to be entitled  
2 An act relating to the designation of official state  
3 orchestras; creating s. 265.2867, F.S.; providing criteria  
4 for designation as an "Official Orchestra of the State of  
5 Florida"; requiring the Florida Arts Council to review  
6 applications for and make designation recommendations to  
7 the Secretary of State; providing requirements for  
8 retaining the designation; requiring the Secretary of  
9 State to make designations and to remove designations  
10 under certain circumstances; authorizing the Division of  
11 Cultural Affairs of the Department of State to adopt  
12 rules; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Section 265.2867, Florida Statutes, is created  
17 to read:

18 265.2867 Official state orchestras.--

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

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

26 (b) Employs a full compliment of professional musicians  
27 capable of performing the standard symphonic repertoire;

28 (c) Regularly performs a significant number of outreach  
29 concerts, including outreach programs that are integrated into

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30 | the curricula of the public school district;

31 | (d) Conducts within the state at least 100 performances  
32 | each calendar year which consist of any combination of  
33 | performances by the full orchestra and smaller specialized  
34 | performances by members of the full orchestra;

35 | (e) Is a Tier One or Tier Two orchestra as designated by  
36 | the American Symphony Orchestra League;

37 | (f) Has an annual operating budget of at least \$7.5  
38 | million; and

39 | (g) Performs live broadcasts on radio and television from  
40 | time to time.

41 | (2) (a) The Florida Arts Council shall accept applications  
42 | annually for designation as an Official Orchestra of the State of  
43 | Florida. The council shall recommend to the Secretary of State  
44 | those orchestras meeting the criteria for designation under this  
45 | section.

46 | (b) In order to retain designation as an Official Orchestra  
47 | of the State of Florida, the professional symphonic orchestra  
48 | must continue to meet the designation criteria and annually  
49 | certify its compliance to the council. Upon review, if the  
50 | council determines that the professional symphonic orchestra is  
51 | not in compliance, the council shall recommend to the Secretary  
52 | of State that the designation be withdrawn.

53 | (3) The Secretary of State shall designate as an Official  
54 | Orchestra of the State of Florida any professional symphonic  
55 | orchestra recommended by the Florida Arts Council as meeting the  
56 | criteria of this section and shall remove such designation when  
57 | the professional symphonic orchestra is no longer in compliance  
58 | with designation criteria.

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59       (4) The Division of Cultural Affairs of the Department of  
60 State may adopt rules pursuant to ss. 120.536(1) and 120.54  
61 necessary to carry out the purposes of this section, including,  
62 but not limited to, procedures for accepting applications for  
63 designation under this section, review of applications,  
64 recommendation and designation, annual certification and review,  
65 and removal of designation.

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