

**By** the Committees on Appropriations; and Governmental Oversight and Accountability; and Senators Detert and Gaetz

576-02508-15

2015396c2

1                                   A bill to be entitled  
2       An act relating to the Florida Historic Capitol;  
3       amending s. 272.129, F.S.; removing references to the  
4       Legislative Research Center and Museum at the Historic  
5       Capitol; removing provisions authorizing establishment  
6       of a citizen support organization to support the  
7       Legislative Research Center and Museum; creating s.  
8       272.131, F.S.; creating the Florida Historic Capitol  
9       Museum Council; providing for the appointment and  
10      qualifications of council members; prescribing duties  
11      and responsibilities for the council and individual  
12      council members; amending s. 272.135, F.S.; renaming  
13      the position of Capitol Curator as the Florida  
14      Historic Capitol Museum Director; conforming  
15      provisions; amending s. 272.136, F.S.; revising the  
16      composition of the board of directors governing the  
17      Florida Historic Capitol Museum's direct-support  
18      organization; providing that per diem and travel  
19      expenses must be paid from direct-support organization  
20      funds; conforming provisions; amending s. 320.0807,  
21      F.S.; redirecting a portion of the proceeds from the  
22      fee for special license plates for former federal or  
23      state legislators to the Florida Historic Capitol  
24      Museum's direct-support organization; providing an  
25      effective date.

26  
27   Be It Enacted by the Legislature of the State of Florida:

28  
29       Section 1. Section 272.129, Florida Statutes, is amended to

576-02508-15

2015396c2

30 read:

31 272.129 Florida Historic Capitol; space allocation;  
32 maintenance, repair, and security.—

33 (1) The Legislature shall ensure that all space in the  
34 Florida Historic Capitol is restored in a manner consistent with  
35 the 1902 form and made available for allocation. Notwithstanding  
36 the provisions of ss. 255.249 and 272.04 that relate to space  
37 allocation in state-owned buildings, the President of the Senate  
38 and the Speaker of the House of Representatives shall have  
39 responsibility and authority for the allocation of all space in  
40 the restored Florida Historic Capitol, provided:

41 (a) The rotunda, corridors, Senate chamber, House of  
42 Representatives chamber, and Supreme Court chamber may ~~shall~~ not  
43 be used as office space.

44 (b) The Legislature shall be allocated sufficient space for  
45 program and administrative functions relating to the  
46 preservation, museum, and cultural programs of the Legislature.

47 (2) The Florida Historic Capitol shall be maintained in  
48 accordance with good historic preservation practices as  
49 specified in the National Park Service Preservation Briefs and  
50 the Secretary of the Interior's Standards for Rehabilitation and  
51 Guidelines for Rehabilitating Historic Buildings.

52 (3) Custodial and preventive maintenance and repair of the  
53 entire Florida Historic Capitol and the grounds located adjacent  
54 thereto shall be the responsibility of the Department of  
55 Management Services, subject to the special requirements of the  
56 building as determined by the director of the Florida Historic  
57 Capitol Museum Curator.

58 ~~(4) (a) The Legislative Research Center and Museum at the~~

576-02508-15

2015396c2

59 ~~Historic Capitol, hereinafter referred to as "center," may~~  
60 ~~support the establishment of a citizen support organization to~~  
61 ~~provide assistance, funding, and promotional support for the~~  
62 ~~center. For the purposes of this subsection, "citizen support~~  
63 ~~organization" means an organization that is:~~

64 ~~1. A Florida corporation not for profit incorporated under~~  
65 ~~the provisions of chapter 617 and approved by the Department of~~  
66 ~~State.~~

67 ~~2. Organized and operated to conduct programs and~~  
68 ~~activities; raise funds; request and receive grants, gifts, and~~  
69 ~~bequests of money; acquire, receive, hold, invest, and~~  
70 ~~administer in its own name securities, funds, objects of value,~~  
71 ~~or other real and personal property; and make expenditures to or~~  
72 ~~for the direct or indirect benefit of the center.~~

73 ~~3. Determined by the center to be consistent with the goals~~  
74 ~~of the center and in the best interests of the state.~~

75 ~~4. Annually approved in writing by the center to operate~~  
76 ~~for the direct or indirect benefit of the center. Such approval~~  
77 ~~shall be given in a letter of agreement from the center.~~

78 ~~(b)1. The Legislative Research Center and Museum at the~~  
79 ~~Historic Capitol may permit, without charge, appropriate use of~~  
80 ~~fixed property and facilities of the center by the citizen~~  
81 ~~support organization, subject to the provisions of this~~  
82 ~~subsection. Such use must be directly in keeping with the~~  
83 ~~approved purposes of the citizen support organization and may~~  
84 ~~not be made at times or places that would unreasonably interfere~~  
85 ~~with normal operations of the center.~~

86 ~~2. The center may prescribe by rule any condition with~~  
87 ~~which the citizen support organization must comply in order to~~

576-02508-15

2015396c2

88 ~~use fixed property or facilities of the center.~~

89 ~~3. The center may not permit the use of any fixed property~~  
90 ~~or facilities by any citizen support organization if such~~  
91 ~~organization does not provide equal membership and employment~~  
92 ~~opportunities to all persons regardless of race, color,~~  
93 ~~religion, gender, age, or national origin.~~

94 ~~(c) A citizen support organization shall provide for an~~  
95 ~~annual financial audit in accordance with s. 215.981.~~

96 ~~(d) All records of a citizen support organization~~  
97 ~~constitute public records for the purposes of chapter 119.~~

98 ~~(e) The citizen support organization for the Legislative~~  
99 ~~Research Center and Museum at the Historic Capitol is authorized~~  
100 ~~to collect rental fees, apply for and receive grants, and~~  
101 ~~receive gifts and donations for the direct or indirect benefit~~  
102 ~~of the center.~~

103 ~~(f) All funds obtained through rental fees, grants, gifts,~~  
104 ~~and donations to the citizen support organization shall be~~  
105 ~~deposited into the account of the citizen support organization~~  
106 ~~and used for the direct or indirect benefit of the Legislative~~  
107 ~~Research Center and Museum at the Historic Capitol unless the~~  
108 ~~citizen support organization is no longer authorized as required~~  
109 ~~by this subsection, fails to comply with the requirements of~~  
110 ~~this subsection, fails to maintain its tax-exempt status~~  
111 ~~pursuant to s. 501(c)(3) of the Internal Revenue Code, or ceases~~  
112 ~~to exist. If the citizen support organization is no longer~~  
113 ~~authorized as required by this subsection, fails to comply with~~  
114 ~~the requirements of this subsection, fails to maintain its tax-~~  
115 ~~exempt status pursuant to s. 501(c)(3) of the Internal Revenue~~  
116 ~~Code, or ceases to exist, all funds obtained through rental~~

576-02508-15

2015396c2

117 ~~fees, grants, gifts, and donations in the citizen support~~  
118 ~~organization account shall revert to the state and be deposited~~  
119 ~~into an account designated by the Legislature.~~

120 Section 2. Section 272.131, Florida Statutes, is created to  
121 read:

122 272.131 Florida Historic Capitol Museum Council.—The  
123 Florida Historic Capitol Museum Council is created within the  
124 legislative branch of state government.

125 (1) The council is composed of 13 members. Council members  
126 shall be selected based on their dedication to preserving the  
127 Florida Historic Capitol and advancing the mission of the  
128 Florida Historic Capitol Museum. Council members must  
129 demonstrate an interest in documenting the institutional  
130 knowledge and historic traditions of state governance with an  
131 emphasis on legislative history, the advancement of civics  
132 education, and the encouragement of residents of this state to  
133 engage with state government. To be fully qualified to serve on  
134 the council, appointed prospective members should be experts in,  
135 or hold credentials in, the fields most directly related to the  
136 mission of the Florida Historic Capitol Museum, including, but  
137 not limited to, history, education, historic preservation, legal  
138 history, or political science, or be leaders in their respective  
139 communities or statewide, with demonstrated success in building  
140 community support for cultural institutions. The council  
141 consists of the following members:

142 (a) The Secretary of the Senate.

143 (b) The Clerk of the House of Representatives.

144 (c) The Sergeants at Arms of both houses of the  
145 Legislature.

576-02508-15

2015396c2

146       (d) The President of the Senate and the Speaker of the  
147 House of Representatives each shall appoint three members, two  
148 of whom must be former legislators or officers of the  
149 Legislature and one who is a representative of the general  
150 public.

151       (e) The board of directors of the Florida Historic Capitol  
152 Museum's direct-support organization shall appoint three members  
153 from its membership.

154       (2) A council member shall:

155       (a) Serve without compensation, except that he or she is  
156 entitled to receive reimbursement for per diem and travel  
157 expenses in accordance with s. 112.061. Such expenses must be  
158 paid out of funds of the Florida Historic Capitol Museum's  
159 direct-support organization.

160       (b) Attend a majority of council meetings each calendar  
161 quarter.

162       (c) Serve as an advocate and ambassador for the museum.

163       (d) Lend expertise and use his or her personal and  
164 professional contacts for the advancement of the museum.

165       (e) Participate in key museum events.

166       (f) Become a member of the museum.

167       (3) The council shall:

168       (a) Designate a chair.

169       (b) Provide guidance and support to assist the Museum  
170 Director and staff in developing a strategic plan to guide the  
171 activities of the museum. The Museum Director shall propose a  
172 strategic plan to the President of the Senate and the Speaker of  
173 the House of Representatives by May 1 of each year in which a  
174 general election is held and shall propose an annual operating

576-02508-15

2015396c2

175 plan.

176 (c) Periodically review the museum's strategic plan.

177 (d) Ensure that the museum retains an emphasis on  
178 preserving legislative history and traditions by cultivating  
179 relationships with current and former legislators, collecting  
180 historic materials, and encouraging public participation in the  
181 museum's programs.

182 (e) Ensure that the museum operates as a public trust in  
183 accordance with the Ethics, Standards, and Best Practices and  
184 the Code of Ethics for Museums adopted by the American Alliance  
185 of Museums.

186 (f) Meet annually with the board of directors of the  
187 Florida Historic Capitol Museum's direct-support organization to  
188 jointly review the museum's strategic plan before its  
189 presentation to the President of the Senate and the Speaker of  
190 the House of Representatives and evaluate the direct-support  
191 organization's long-term development goals and near-term  
192 strategies.

193 (g) Assist museum staff in planning the Biennial Joint  
194 Legislative Reunion.

195 Section 3. Section 272.135, Florida Statutes, is amended to  
196 read:

197 272.135 Florida Historic Capitol Museum Director ~~Curator~~.—

198 (1) The position of the Florida Historic Capitol Museum  
199 Director ~~Capitol Curator~~ is created within the Legislature,  
200 which shall establish the qualifications for the position. The  
201 director ~~curator~~ shall be appointed by and serve at the pleasure  
202 of the President of the Senate and the Speaker of the House of  
203 Representatives.

576-02508-15

2015396c2

204 (2) The director ~~Capitol Curator~~ shall:

205 (a) Promote and encourage throughout the state knowledge  
206 and appreciation of the Florida Historic Capitol.

207 (b) Collect, research, exhibit, interpret, preserve, and  
208 protect the history, artifacts, objects, furnishings, and other  
209 materials related to the Florida Historic Capitol, except for  
210 archaeological research and resources.

211 (c) Develop, direct, supervise, and maintain the interior  
212 design and furnishings of all space within the Florida Historic  
213 Capitol in a manner consistent with the restoration of the  
214 Florida Historic Capitol in its 1902 form.

215 (3) In conjunction with ~~the Legislative Research Center and~~  
216 ~~Museum at~~ the Florida Historic Capitol Museum Council, the  
217 director ~~Capitol Curator~~ may assist the Florida Historic Capitol  
218 Museum in the performance of its mission by:

219 (a) Raising money.†

220 (b) Submitting requests for and receiving grants.†

221 (c) Receiving, holding, investing, and administering in the  
222 name of the Florida Historic Capitol Museum ~~and the Legislative~~  
223 ~~Research Center and Museum~~ securities, funds, objects of value,  
224 or other real and personal property.†

225 (d) Receiving gifts and donations for the direct or  
226 indirect benefit of the Florida Historic Capitol.† ~~and~~

227 (e) Making expenditures to or for the direct or indirect  
228 benefit of the Florida Historic Capitol.

229 Section 4. Section 272.136, Florida Statutes, is amended to  
230 read:

231 272.136 Direct-support organization.—The ~~Legislative~~  
232 ~~Research Center and Museum at the~~ Florida Historic Capitol



576-02508-15

2015396c2

233 Museum Council and the Florida Historic Capitol Museum Director  
234 ~~Capitol Curator~~ may establish a direct-support organization to  
235 provide assistance and promotional support through fundraising  
236 for the Florida Historic Capitol Museum and ~~the Legislative~~  
237 ~~Research Center and Museum~~, including, but not limited to, its  
238 ~~their~~ educational programs and initiatives.

239 (1) The direct-support organization shall be governed by a  
240 board of directors. Board members must demonstrate ~~who have~~  
241 ~~demonstrated~~ a capacity for supporting the mission of the  
242 Florida Historic Capitol.

243 (a) Initial appointments to the board shall be made by the  
244 President of the Senate and the Speaker of the House of  
245 Representatives at the recommendation of the council ~~center~~ and  
246 the director ~~curator~~. Appointments to the board shall thereafter  
247 be made by the board.

248 (b) The initial board shall consist of nine members who  
249 shall be appointed to 3-year terms, except that the terms of  
250 such ~~the initial~~ appointees shall be designated ~~accomplished~~ so  
251 that three members are appointed for 1 year, three members are  
252 appointed for 2 years, and three members are appointed for 3  
253 years, in order to achieve staggered terms, as determined by the  
254 presiding officers.

255 (c) Effective July 1, 2015, the board may add up to 12 ~~two~~  
256 additional members to be appointed for 3-year terms.

257 (d) ~~The~~ Board members shall serve without compensation, but  
258 ~~except that they~~ are entitled to receive reimbursement for per  
259 diem and travel expenses in accordance with s. 112.061. Such  
260 expenses must be paid out of funds of the direct-support  
261 organization.

576-02508-15

2015396c2

262 (e) The board may use the fixed property and facilities of  
263 the Florida Historic Capitol, subject to the provisions of this  
264 subsection. Such use must be directly in keeping with the  
265 approved purposes of the direct-support organization and may not  
266 be made at times or places that would unreasonably interfere  
267 with the normal operations of the Florida Historic Capitol.

268 (2) The direct-support organization must be a Florida  
269 corporation, not for profit, incorporated under chapter 617~~7~~ and  
270 approved by the Department of State.

271 (3) The director ~~curator and center~~ may prescribe any  
272 condition with which the direct-support organization must  
273 comply.

274 (4) The director ~~curator and the center~~ may not authorize  
275 ~~permit~~ the use of any fixed property or facilities by the  
276 direct-support organization if the organization does not provide  
277 equal membership and employment opportunities to all persons  
278 regardless of race, color, religion, gender, age, or national  
279 origin.

280 (5) The direct-support organization shall provide for an  
281 annual financial audit in accordance with s. 215.981.

282 (6) If the direct-support organization is no longer  
283 authorized by this section, fails to comply with the  
284 requirements of this section, fails to maintain its tax-exempt  
285 status pursuant to s. 501(c)(3) of the Internal Revenue Code, or  
286 ceases to exist, all funds obtained through grants, gifts, and  
287 donations in the direct-support organization account shall  
288 revert to the state and be deposited into an account designated  
289 by the Legislature for the support of the Florida Historic  
290 Capitol, provided that donations made for specific purposes in

576-02508-15

2015396c2

291 an original donor agreement shall be applied only to those  
292 purposes.

293 (7) (a) The identity of a donor or prospective donor to the  
294 direct-support organization who desires to remain anonymous, and  
295 all information identifying such donor or prospective donor, is  
296 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
297 of the State Constitution. Such anonymity shall be maintained in  
298 any auditor's report created pursuant to the annual financial  
299 audit required under subsection (5).

300 (b) This subsection is subject to the Open Government  
301 Sunset Review Act in accordance with s. 119.15 and shall stand  
302 repealed on October 2, 2017, unless reviewed and saved from  
303 repeal through reenactment by the Legislature.

304 Section 5. Paragraph (c) of subsection (6) of section  
305 320.0807, Florida Statutes, is amended to read:

306 320.0807 Special license plates for Governor and federal  
307 and state legislators.-

308 (6)

309 (c) Four hundred fifty dollars of the one-time fee  
310 collected under paragraph (a) shall be distributed to the  
311 account of the direct-support organization established pursuant  
312 to s. 272.136 ~~citizen support organization established pursuant~~  
313 ~~to s. 272.129~~ and used for the benefit of the Florida Historic  
314 Capitol Museum ~~Legislative Research Center and Museum at the~~  
315 ~~Historic Capitol~~, and the remaining \$50 shall be deposited into  
316 the Highway Safety Operating Trust Fund.

317 Section 6. This act shall take effect July 1, 2015.