

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 701 Art in the Capitol Competition

SPONSOR(S): K-12 Subcommittee and Lee, Jr.

TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 1160

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-12 Subcommittee	10 Y, 0 N, As CS	Fudge	Fudge
2) Appropriations Committee	25 Y, 0 N	White	Leznoff
3) Education Committee	15 Y, 0 N	Brink	Mizereck

SUMMARY ANALYSIS

The bill creates the Art in the Capitol Competition for public, private and home education students in grades 6 through 8. Student submissions will be selected by a committee of art teachers whose students have not submitted artwork for consideration.

Each winning submission must be provided to the legislator of the legislative district in which the student resides no later than 60 days before the start of each regular session. The legislator will then provide the winning submission to the Department of Management Services which will arrange to have it displayed in the Capitol Building during the regular legislative session. Upon adjournment of the legislative session, the legislator shall return the winning submission to the student.

There is an indeterminate but likely insignificant fiscal impact to the state for the Department of Management Services to display artwork in the Capitol.

The bill is effective July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The Capitol has permanent and temporary art displays. The lower floors of the Capitol and Legislative Office Buildings contain photographs of Florida's history chosen by Florida Legislative Research Center.¹

The Capitol Complex Exhibition Program showcases Florida artists through a series of visual art exhibitions throughout the Capitol Complex. Staff members of the Division of Cultural Affairs select exhibitions for the 22nd Floor Capitol Gallery and the Gallery for Innovation and the Arts. Selection is based on quality, diversity of medium and regional representation with preference for Florida themes.²

Effect of Proposed Changes

The bill creates the Art in the Capitol Competition to be administered by the Department of Management Services (DMS) and the Department of Education. Each school district must annually hold an Art in the Capitol Competition for all public, private, and home education students in grades 6 through 8. Submissions will be judged by art teachers whose students have not submitted artwork for consideration. Each artwork submission must be original in concept, design, and execution and may not violate copyright law. Further, each submission must be two dimensional, may be no larger than 28 inches wide by 28 inches long by 4-inches thick, and must weigh less than 15 pounds. Submissions must include the student's name, grade, and school and the city in which the school is located.

Each winning submission must be provided to the legislator of the legislative district in which the student resides no later than 60 days before the start of each regular session. The legislator will then provide the winning submission to the DMS which will arrange to have it displayed in the Capitol Building during the regular legislative session. Upon adjournment of the legislative session, the legislator shall return the winning submission to the student.

B. SECTION DIRECTORY:

Section 1. Creates the Art in the Capitol Competition.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See FISCAL COMMENTS.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

¹ Visit Florida Capitol, *Artwork in the Capitol*, <http://www.visitfloridacapitol.com/capitol/art.php> (last visited January 28, 2016).

² Division of Cultural Affairs, *Exhibitions*, <http://dos.myflorida.com/cultural/programs/exhibitions/> (last visited January 28, 2016)

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

There is an indeterminate but likely insignificant fiscal impact to the state for the Department of Management Services to display artwork in the Capitol. It is anticipated that this can be handled within existing resources.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill provides DMS rulemaking authority to administer the competition.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On February 1, 2016, the K-12 Subcommittee adopted a strike-all amendment and reported the bill favorably as a committee substitute. The strike-all differs from the original bill by:

- Requiring each school district to hold an Art in the Capitol Competition instead of each member of the House of Representatives; and
- Revising the fixed dates for the competition by allowing each school district to determine the date of the competition so that the winning submission can be provided to the legislator at least 60 days prior to the start of each regular legislation session.

The analysis reflects the committee substitute passed by the K-12 Subcommittee.