

By Senator Rouson

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1 A bill to be entitled  
2 An act relating to cultural affairs; amending s.  
3 15.18, F.S.; providing that the Secretary of State  
4 shall be known as "Florida's Chief Arts and Culture  
5 Officer"; conforming a provision to changes made by  
6 the act; amending s. 20.10, F.S.; renaming the  
7 Division of Cultural Affairs of the Department of  
8 State as the Division of Arts and Culture; amending  
9 ss. 265.283, 265.284, and 265.2865, F.S.; conforming  
10 provisions to changes made by the act; repealing ss.  
11 265.601, 265.602, 265.603, and 265.605, F.S., relating  
12 to the department's Cultural Endowment Program;  
13 amending ss. 265.701, 265.7025, 265.704, and 468.401,  
14 F.S.; conforming provisions to changes made by the  
15 act; providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Section 15.18, Florida Statutes, is amended to  
20 read:

21 15.18 International and cultural relations.—The Divisions  
22 of Arts and Culture ~~Cultural Affairs~~, Historical Resources, and  
23 Library and Information Services of the Department of State  
24 promote programs having substantial cultural, artistic, and  
25 indirect economic significance that emphasize American  
26 creativity. The Secretary of State, as the head administrator of  
27 these divisions, shall hereafter be known as "Florida's Chief  
28 Arts and Culture ~~Cultural~~ Officer." As this officer, the  
29 Secretary of State is encouraged to initiate and develop

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30 relationships between the state and foreign cultural officers,  
31 their representatives, and other foreign governmental officials  
32 in order to promote Florida as the center of American  
33 creativity. The Secretary of State shall coordinate  
34 international activities pursuant to this section with  
35 Enterprise Florida, Inc., and any other organization the  
36 secretary deems appropriate. For the accomplishment of this  
37 purpose, the Secretary of State shall have the power and  
38 authority to:

39 (1) Disseminate any information pertaining to the State of  
40 Florida which promotes the state's cultural assets.

41 (2) Plan and carry out activities designed to cause  
42 improved cultural and governmental programs and exchanges with  
43 foreign countries.

44 (3) Plan and implement cultural and social activities for  
45 visiting foreign heads of state, diplomats, dignitaries, and  
46 exchange groups.

47 (4) Encourage and cooperate with other public and private  
48 organizations or groups in their efforts to promote the cultural  
49 advantages of Florida.

50 (5) Serve as the liaison with all foreign consular and  
51 ambassadorial corps, as well as international organizations,  
52 that are consistent with the purposes of this section.

53 (6) Provide, arrange, and make expenditures for the  
54 achievement of any or all of the purposes specified in this  
55 section.

56 Section 2. Paragraph (e) of subsection (2) of section  
57 20.10, Florida Statutes, is amended to read:

58 20.10 Department of State.—There is created a Department of

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59 State.

60 (2) The following divisions of the Department of State are  
61 established:

62 (e) Division of Arts and Culture ~~Cultural Affairs~~.

63 Section 3. Subsections (3) and (4) of section 265.283,  
64 Florida Statutes, are amended to read:

65 265.283 Definitions.—The following definitions shall apply  
66 to ss. 265.281-265.709:

67 (3) "Director" means the Director of the Division of Arts  
68 and Culture ~~Cultural Affairs~~ of the Department of State.

69 (4) "Division" means the Division of Arts and Culture  
70 ~~Cultural Affairs~~ of the Department of State.

71 Section 4. Section 265.284, Florida Statutes, is amended to  
72 read:

73 265.284 Chief arts and culture ~~cultural~~ officer; director  
74 of division; powers and duties.—

75 (1) The Secretary of State is the chief arts and culture  
76 ~~cultural~~ officer of the state.

77 (2) The division is the state arts administrative agency  
78 and shall be headed by a director who shall serve at the  
79 pleasure of the secretary.

80 (3) The division shall directly administer and oversee all  
81 of the programs authorized by this act. In furtherance thereof,  
82 the division shall:

83 (a) Accept and administer state and federal funds  
84 appropriated by the Legislature or funds received from other  
85 public or private sources.

86 (b) Advance funds for grants on a quarterly basis.

87 (c) Enter into agreements for awarding grants or other

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88 contracts with any person, firm, performing arts company,  
89 educational institution, arts organization, corporation, or  
90 governmental agency as may be necessary or advisable to carry  
91 out its functions under this act.

92 (d) Upon request, or at its own initiative, consult with  
93 and advise other individuals, groups, organizations, or state  
94 agencies and officials, particularly the Governor and the  
95 Cabinet, concerning the acquisition by gift or purchase of fine  
96 art works, the appropriate use and display of state-owned art  
97 treasures for maximum public benefit, and the suitability of any  
98 structures or fixtures, including framing, primarily intended  
99 for ornamental or decorative purposes in the interior of public  
100 buildings.

101 (e) Accept on behalf of the state donations of money,  
102 property, art objects, and antiquities. Such donations of money  
103 and any cash income may be received from the disposal of any  
104 donations of property, art objects, or antiquities, which shall  
105 be deposited into the Grants and Donations Trust Fund and are  
106 hereby appropriated for use by the division for the purposes  
107 authorized in this act.

108 (f) Sponsor performances and exhibits; promote and  
109 encourage the study and appreciation of arts and culture; and  
110 collect, publish, and print pamphlets, papers, newsletters, and  
111 other materials related to arts and cultural programs available  
112 throughout the state.

113 (g) Conduct and support cultural programs and cultural  
114 exchanges by coordinating with the appropriate state agencies  
115 and other organizations.

116 (h) Accept funding and other forms of support for the

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117 purposes in this act.

118 (i) Notwithstanding s. 287.022 or s. 287.025(1)(e), enter  
119 into contracts to insure museum collections, artifacts, relics,  
120 and fine arts to which it holds title or which are on loan to  
121 the division.

122 (j) Adopt rules pursuant to ss. 120.536(1) and 120.54 to  
123 implement this subsection.

124 Section 5. Subsection (6) of section 265.2865, Florida  
125 Statutes, is amended to read:

126 265.2865 Florida Artists Hall of Fame.—

127 (6) The Division of Arts and Culture ~~Cultural Affairs~~ of  
128 the Department of State shall adopt rules necessary to carry out  
129 the purposes of this section, including, but not limited to,  
130 procedures for accepting nominations to, making recommendations  
131 for, selecting members of the Florida Artists Hall of Fame, and  
132 providing travel expenses for such recipients. Notwithstanding  
133 the provisions of s. 112.061, the Secretary of State may approve  
134 first-class travel accommodations for recipients of the Florida  
135 Artists Hall of Fame award and their representatives for health  
136 or security purposes.

137 Section 6. Sections 265.601, 265.602, 265.603, and 265.605,  
138 Florida Statutes, are repealed.

139 Section 7. Subsections (1) and (5) of section 265.701,  
140 Florida Statutes, are amended to read:

141 265.701 Cultural facilities; grants for acquisition,  
142 renovation, or construction; funding; approval; allocation.—

143 (1) The Division of Arts and Culture ~~Cultural Affairs~~ may  
144 accept and administer moneys appropriated to it for providing  
145 grants to counties, municipalities, and qualifying nonprofit

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146 corporations for the acquisition, renovation, or construction of  
147 cultural facilities.

148 (5) The Division of Arts and Culture ~~Cultural Affairs~~ shall  
149 adopt rules prescribing the criteria to be applied by the  
150 Florida Council on Arts and Culture in recommending applications  
151 for the award of grants and rules providing for the  
152 administration of the other provisions of this section.

153 Section 8. Subsection (2) of section 265.7025, Florida  
154 Statutes, is amended to read:

155 265.7025 Definitions relating to historic programs.—For the  
156 purposes of ss. 265.7025-265.709, the term:

157 (2) "Division" means the Division of Arts and Culture  
158 ~~Cultural Affairs~~ of the Department of State.

159 Section 9. Section 265.704, Florida Statutes, is amended to  
160 read:

161 265.704 Historical museums; powers and duties of the  
162 Division of Arts and Culture ~~Cultural Affairs~~.—

163 (1) The division shall adopt rules pursuant to ss.  
164 120.536(1) and 120.54 to administer the provisions of ss.  
165 265.7025-265.709.

166 (2) The division may make and enter into all contracts and  
167 agreements with other agencies, organizations, associations,  
168 corporations, and individuals or with federal agencies as it may  
169 determine are necessary, expedient, or incidental to the  
170 performance of its duties or the execution of its powers under  
171 ss. 265.7025-265.709.

172 (3) The division may accept gifts, grants, bequests, loans,  
173 and endowments for purposes not inconsistent with its  
174 responsibilities under this chapter. The division may also

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175 establish an endowment that is consistent with the  
176 responsibilities under ss. 265.7025-265.709.

177 (4) It is the duty of the division to:

178 (a) Promote and encourage throughout the state knowledge  
179 and appreciation of Florida history by encouraging the people of  
180 the state to engage in the preservation and care of artifacts,  
181 museum items, treasure troves, and other historical properties;  
182 the collection, research, fabrication, exhibition, preservation,  
183 and interpretation of historical materials; the publicizing of  
184 the state's history through public information media; and other  
185 activities in historical and allied fields.

186 (b) Encourage, promote, maintain, and operate historical  
187 museums, including, but not limited to, mobile museums, junior  
188 museums, and the Museum of Florida History in the state capital.

189 (c) Plan and develop, in cooperation with other state  
190 agencies and with municipalities, programs to promote and  
191 encourage the teaching of Florida's history and heritage in  
192 Florida schools and other educational institutions and other  
193 such educational programs as may be appropriate.

194 (d) Establish professional standards for the preservation,  
195 exclusive of acquisition, of historical resources in state  
196 ownership or control.

197 (e) Take such other actions as are necessary or appropriate  
198 to locate, acquire, protect, preserve, operate, interpret, and  
199 promote the location, acquisition, protection, preservation,  
200 operation, and interpretation of historical resources to foster  
201 an appreciation of Florida history and culture.

202 Section 10. Subsection (4) of section 468.401, Florida  
203 Statutes, is amended to read:

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204 468.401 Regulation of talent agencies; definitions.—As used  
205 in this part or any rule adopted pursuant hereto:

206 (4) "Engagement" means any employment or placement of an  
207 artist, where the artist performs in his or her artistic  
208 capacity. However, the term "engagement" shall not apply to  
209 procuring opera, music, theater, or dance engagements for any  
210 organization defined in s. 501(c)(3) of the Internal Revenue  
211 Code or any nonprofit Florida arts organization that has  
212 received a grant from the Division of Arts and Culture ~~Cultural~~  
213 ~~Affairs~~ of the Department of State or has participated in the  
214 state touring program of the Division of Arts and Culture  
215 ~~Cultural Affairs~~.

216 Section 11. This act shall take effect July 1, 2020.