

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

11  
 12 Be It Enacted by the Legislature of the State of Florida:

13  
 14           Section 1. Paragraph (e) of subsection (2) of section  
 15           20.10, Florida Statutes, is amended to read:

16           20.10 Department of State.—There is created a Department  
 17           of State.

18           (2) The following divisions of the Department of State are  
 19           established:

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

21           Section 2. Section 15.18, Florida Statutes, is amended to  
 22           read:

23           15.18 International and cultural relations.—The Divisions  
 24           of Arts and Culture ~~Cultural Affairs~~, Historical Resources, and  
 25           Library and Information Services of the Department of State

26 | promote programs having substantial cultural, artistic, and  
27 | indirect economic significance that emphasize American  
28 | creativity. The Secretary of State, as the head administrator of  
29 | these divisions, shall hereafter be known as "Florida's Chief  
30 | Arts and Culture ~~Cultural~~ Officer." As this officer, the  
31 | Secretary of State is encouraged to initiate and develop  
32 | relationships between the state and foreign cultural officers,  
33 | their representatives, and other foreign governmental officials  
34 | in order to promote Florida as the center of American  
35 | creativity. The Secretary of State shall coordinate  
36 | international activities pursuant to this section with  
37 | Enterprise Florida, Inc., and any other organization the  
38 | secretary deems appropriate. For the accomplishment of this  
39 | purpose, the Secretary of State shall have the power and  
40 | authority to:

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

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

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

49 |       (4) Encourage and cooperate with other public and private  
50 | organizations or groups in their efforts to promote the cultural

51 | advantages of Florida.

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

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

58 |       Section 3. Subsections (3) and (4) of section 265.283,  
59 | Florida Statutes, are amended to read:

60 |       265.283 Definitions.—The following definitions shall apply  
61 | to ss. 265.281-265.709:

62 |       (3) "Director" means the Director of the Division of Arts  
63 | and Culture ~~Cultural Affairs~~ of the Department of State.

64 |       (4) "Division" means the Division of Arts and Culture  
65 | ~~Cultural Affairs~~ of the Department of State.

66 |       Section 4. Subsection (1) of section 265.284, Florida  
67 | Statutes, is amended to read:

68 |       265.284 Chief arts and culture ~~cultural~~ officer; director  
69 | of division; powers and duties.—

70 |       (1) The Secretary of State is the chief arts and culture  
71 | ~~cultural~~ officer of the state.

72 |       Section 5. Subsection (6) of section 265.2865, Florida  
73 | Statutes, is amended to read:

74 |       265.2865 Florida Artists Hall of Fame.—

75 |       (6) The Division of Arts and Culture ~~Cultural Affairs~~ of

76 | the Department of State shall adopt rules necessary to carry out  
 77 | the purposes of this section, including, but not limited to,  
 78 | procedures for accepting nominations to, making recommendations  
 79 | for, selecting members of the Florida Artists Hall of Fame, and  
 80 | providing travel expenses for such recipients. Notwithstanding  
 81 | the provisions of s. 112.061, the Secretary of State may approve  
 82 | first-class travel accommodations for recipients of the Florida  
 83 | Artists Hall of Fame award and their representatives for health  
 84 | or security purposes.

85 |       Section 6. Subsection (2) of section 265.603, Florida  
 86 | Statutes, is amended to read:

87 |           265.603 Definitions relating to Cultural Endowment  
 88 | Program.—The following terms and phrases when used in ss.  
 89 | 265.601-265.606 shall have the meaning ascribed to them in this  
 90 | section, except where the context clearly indicates a different  
 91 | meaning:

92 |           (2) "Division" means the Division of Arts and Culture  
 93 | ~~Cultural Affairs~~ of the Department of State.

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

96 |           265.701 Cultural facilities; grants for acquisition,  
 97 | renovation, or construction; funding; approval; allocation.—

98 |           (1) The Division of Arts and Culture ~~Cultural Affairs~~ may  
 99 | accept and administer moneys appropriated to it for providing  
 100 | grants to counties, municipalities, and qualifying nonprofit

101 corporations for the acquisition, renovation, or construction of  
 102 cultural facilities.

103 (5) The Division of Arts and Culture ~~Cultural Affairs~~  
 104 shall adopt rules prescribing the criteria to be applied by the  
 105 Florida Council on Arts and Culture in recommending applications  
 106 for the award of grants and rules providing for the  
 107 administration of the other provisions of this section.

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

110 265.7025 Definitions relating to historic programs.—For  
 111 the purposes of ss. 265.7025-265.709, the term:

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

114 Section 9. Section 265.704, Florida Statutes, is amended  
 115 to read:

116 265.704 Historical museums; powers and duties of the  
 117 Division of Arts and Culture ~~Cultural Affairs~~.—

118 (1) The division shall adopt rules pursuant to ss.  
 119 120.536(1) and 120.54 to administer the provisions of ss.  
 120 265.7025-265.709.

121 (2) The division may make and enter into all contracts and  
 122 agreements with other agencies, organizations, associations,  
 123 corporations, and individuals or with federal agencies as it may  
 124 determine are necessary, expedient, or incidental to the  
 125 performance of its duties or the execution of its powers under

126 ss. 265.7025-265.709.

127 (3) The division may accept gifts, grants, bequests,  
128 loans, and endowments for purposes not inconsistent with its  
129 responsibilities under this chapter. The division may also  
130 establish an endowment that is consistent with the  
131 responsibilities under ss. 265.7025-265.709.

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

133 (a) Promote and encourage throughout the state knowledge  
134 and appreciation of Florida history by encouraging the people of  
135 the state to engage in the preservation and care of artifacts,  
136 museum items, treasure troves, and other historical properties;  
137 the collection, research, fabrication, exhibition, preservation,  
138 and interpretation of historical materials; the publicizing of  
139 the state's history through public information media; and other  
140 activities in historical and allied fields.

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

144 (c) Plan and develop, in cooperation with other state  
145 agencies and with municipalities, programs to promote and  
146 encourage the teaching of Florida's history and heritage in  
147 Florida schools and other educational institutions and other  
148 such educational programs as may be appropriate.

149 (d) Establish professional standards for the preservation,  
150 exclusive of acquisition, of historical resources in state

151 ownership or control.

152 (e) Take such other actions as are necessary or  
153 appropriate to locate, acquire, protect, preserve, operate,  
154 interpret, and promote the location, acquisition, protection,  
155 preservation, operation, and interpretation of historical  
156 resources to foster an appreciation of Florida history and  
157 culture.

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

160 468.401 Regulation of talent agencies; definitions.—As  
161 used in this part or any rule adopted pursuant hereto:

162 (4) "Engagement" means any employment or placement of an  
163 artist, where the artist performs in his or her artistic  
164 capacity. However, the term "engagement" shall not apply to  
165 procuring opera, music, theater, or dance engagements for any  
166 organization defined in s. 501(c)(3) of the Internal Revenue  
167 Code or any nonprofit Florida arts organization that has  
168 received a grant from the Division of Arts and Culture ~~Cultural~~  
169 ~~Affairs~~ of the Department of State or has participated in the  
170 state touring program of the Division of Arts and Culture  
171 ~~Cultural Affairs~~.

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