

By the Committee on Appropriations; and Senator Hooper

576-04226-21

20211404c1

1                   A bill to be entitled  
2           An act relating to cultural and historical programs;  
3           creating s. 15.0455, F.S.; designating the Museum of  
4           Florida History as the official state history museum;  
5           amending s. 15.18, F.S.; providing that the Secretary  
6           of State shall be known as "Florida's Chief Arts and  
7           Culture Officer"; conforming a provision to changes  
8           made by the act; amending s. 20.10, F.S.; renaming the  
9           Division of Cultural Affairs as the Division of Arts  
10          and Culture; amending s. 265.281, F.S.; conforming  
11          provisions to changes made by the act; reordering and  
12          amending s. 265.283, F.S.; conforming provisions to  
13          changes made by the act; defining the term "folklife";  
14          amending s. 265.286, F.S.; conforming a cross-  
15          reference; amending ss. 265.2865 and 265.701, F.S.;  
16          conforming provisions to changes made by the act;  
17          repealing s. 265.7025, F.S., relating to definitions  
18          relating to historic programs; amending s. 265.703,  
19          F.S.; conforming provisions to changes made by the  
20          act; repealing ss. 265.704, 265.705, 265.706, and  
21          265.709, F.S., relating to historical museums and  
22          powers and duties of the Division of Cultural Affairs,  
23          state policy relative to historical properties,  
24          objects of historical or archaeological value, and  
25          publications, respectively; reordering and amending s.  
26          267.021, F.S.; deleting the definition of the term  
27          "folklife"; defining the term "historical museum";  
28          amending s. 267.071, F.S.; revising the duties of the  
29          Division of Historical Resources; transferring,

576-04226-21

20211404c1

30 renumbering, and amending s. 265.707, F.S.;

31 transferring certain responsibilities from the

32 Division of Cultural Affairs to the Division of

33 Historical Resources; revising provisions relating to

34 the Museum of Florida History museum store, the

35 establishment and operation of a certain nonprofit

36 organization or association, and the use of certain

37 funds; transferring, renumbering, and amending s.

38 265.565, F.S.; defining the term "abandoned property";

39 removing the requirement that a museum inform a lender

40 of certain provisions in certain circumstances;

41 revising publication requirements for a termination of

42 loan notice; providing for the disposition of

43 abandoned property; amending s. 267.115, F.S.;

44 revising the duties of the Division of Historical

45 Resources relating to objects of historical or

46 archaeological value; transferring and renumbering ss.

47 267.16 and 267.161, F.S., relating to Florida Folklife

48 Programs and the Florida Folklife Council,

49 respectively; amending ss. 258.081, 468.401, and

50 553.902, F.S.; conforming provisions and cross-

51 references to changes made by the act; amending

52 chapter 2020-88, Laws of Florida; conforming a

53 provision to changes made by the act; providing an

54 effective date.

55

56 Be It Enacted by the Legislature of the State of Florida:

57

58 Section 1. Section 15.0455, Florida Statutes, is created to

576-04226-21

20211404c1

59 read:

60 15.0455 Official state history museum.—The Museum of  
61 Florida History, located in Tallahassee, is hereby designated as  
62 the official state history museum.

63 Section 2. Section 15.18, Florida Statutes, is amended to  
64 read:

65 15.18 International and cultural relations.—The Divisions  
66 of Arts and Culture ~~Cultural Affairs~~, Historical Resources, and  
67 Library and Information Services of the Department of State  
68 promote programs having substantial cultural, artistic, and  
69 indirect economic significance that emphasize American  
70 creativity. The Secretary of State, as the head administrator of  
71 these divisions, shall hereafter be known as "Florida's Chief  
72 Arts and Culture ~~Cultural~~ Officer." As this officer, the  
73 Secretary of State is encouraged to initiate and develop  
74 relationships between the state and foreign cultural officers,  
75 their representatives, and other foreign governmental officials  
76 in order to promote Florida as the center of American  
77 creativity. The Secretary of State shall coordinate  
78 international activities pursuant to this section with  
79 Enterprise Florida, Inc., and any other organization the  
80 secretary deems appropriate. For the accomplishment of this  
81 purpose, the Secretary of State shall have the power and  
82 authority to:

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

85 (2) Plan and carry out activities designed to cause  
86 improved cultural and governmental programs and exchanges with  
87 foreign countries.

576-04226-21

20211404c1

88 (3) Plan and implement cultural and social activities for  
89 visiting foreign heads of state, diplomats, dignitaries, and  
90 exchange groups.

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

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

97 (6) Provide, arrange, and make expenditures for the  
98 achievement of any or all of the purposes specified in this  
99 section.

100 Section 3. Paragraph (e) of subsection (2) of section  
101 20.10, Florida Statutes, is amended to read:

102 20.10 Department of State.—There is created a Department of  
103 State.

104 (2) The following divisions of the Department of State are  
105 established:

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

107 Section 4. Section 265.281, Florida Statutes, is amended to  
108 read:

109 265.281 Florida Arts and Culture Act; short title.—Sections  
110 265.281-265.703 ~~Sections 265.281-265.709~~ may be cited as the  
111 "Florida Arts and Culture Act."

112 Section 5. Section 265.283, Florida Statutes, is reordered  
113 and amended to read:

114 265.283 Definitions.—The following definitions shall apply  
115 to ss. 265.281-265.703 ~~ss. 265.281-265.709~~:

116 (3) ~~(1)~~ "Council" means the Florida Council on Arts and

576-04226-21

20211404c1

117 Culture.

118 ~~(6)~~~~(2)~~ "Department" means the Department of State.

119 ~~(7)~~~~(3)~~ "Director" means the Director of the Division of  
120 Arts and Culture ~~Cultural Affairs~~ of the Department of State.

121 ~~(8)~~~~(4)~~ "Division" means the Division of Arts and Culture  
122 ~~Cultural Affairs~~ of the Department of State.

123 ~~(12)~~~~(5)~~ "Panel" means a grant review panel.

124 ~~(14)~~~~(6)~~ "Secretary" means the Secretary of State.

125 ~~(1)~~~~(7)~~ "Arts and cultural disciplines" include, but are not  
126 limited to, music, dance, theatre, creative writing, literature,  
127 architecture, painting, sculpture, folk arts, photography,  
128 crafts, media arts, visual arts, programs of museums, and other  
129 such allied, major art forms.

130 ~~(11)~~~~(8)~~ "Local arts agency" means a public or private  
131 nonprofit organization located in Florida and operating on a  
132 permanent basis for the primary purpose of strengthening,  
133 supporting, and stabilizing the activities of one or more county  
134 art and cultural constituencies.

135 ~~(10)~~~~(9)~~ "Historical museum" means a department or agency of  
136 state or local government or a public or private nonprofit  
137 organization located in Florida and operating on a permanent  
138 basis for the primary purpose of sponsoring, producing, and  
139 exhibiting educational programs that are related to the  
140 historical resources of Florida.

141 ~~(13)~~~~(10)~~ "Science museum" means a public or private  
142 nonprofit organization located in Florida and operating on a  
143 permanent basis for the primary purpose of sponsoring,  
144 producing, and exhibiting programs for the observation and study  
145 of various types of natural science and science technology.

576-04226-21

20211404c1

146        (18)~~(11)~~ "Youth and children's museum" means a public or  
147 private nonprofit organization located in Florida and operating  
148 on a permanent basis for the primary purpose of sponsoring,  
149 producing, and exhibiting multidisciplinary and participatory  
150 programs for visitors who are 6 months to 15 years old, and  
151 their families, teachers, and caregivers.

152        (15)~~(12)~~ "State service organization" means a public or  
153 private nonprofit organization located in Florida operating on a  
154 permanent basis for the primary purpose of implementing programs  
155 that have cultural significance and that emphasize American  
156 creativity and the maintenance and encouragement of professional  
157 excellence.

158        (2)~~(13)~~ "Arts in education grants" means grants used to  
159 cultivate the learning and artistic development of all students  
160 and teachers by promoting, encouraging, and supporting arts and  
161 culture as an integral part of education and lifelong learning  
162 for residents and visitors.

163        (4)~~(14)~~ "Cultural support grants" means grants that provide  
164 support for general programs and specific cultural projects.

165        (16)~~(15)~~ "State touring program grants" means grants used  
166 to provide performances, activities, and exhibitions by Florida  
167 artists to communities.

168        (17)~~(16)~~ "Underserved arts community assistance program  
169 grants" means grants used by qualified organizations under the  
170 Rural Economic Development Initiative, pursuant to ss. 288.0656  
171 and 288.06561, for the purpose of economic and organizational  
172 development for underserved cultural organizations.

173        (5)~~(17)~~ "Culture Builds Florida grants" means grants used  
174 for the purpose of connecting the arts to key areas of the

576-04226-21

20211404c1

175 division's long-term strategic plan.

176 (9) "Folklife" means the traditional expressive culture  
177 shared within the various groups in Florida: familial, ethnic,  
178 occupational, religious, and regional. Expressive culture  
179 includes a wide range of creative and symbolic forms, such as  
180 custom, belief, technical skill, language, literature, art,  
181 architecture, music, play, dance, drama, ritual, pageantry, and  
182 handicraft, which forms are generally learned orally, by  
183 imitation, or in performance and are maintained or perpetuated  
184 without formal instruction or institutional direction.

185 Section 6. Paragraph (a) of subsection (5) of section  
186 265.286, Florida Statutes, is amended to read:

187 265.286 Art and cultural grants.—

188 (5) The division shall fund:

189 (a) Grants for general program support for science museums,  
190 youth and children's museums, historical museums, local arts  
191 agencies, state service organizations, and organizations that  
192 have cultural program activities in any of the art and cultural  
193 disciplines defined in s. 265.283 ~~s. 265.283(7)~~.

194 Section 7. Subsection (6) of section 265.2865, Florida  
195 Statutes, is amended to read:

196 265.2865 Florida Artists Hall of Fame.—

197 (6) The Division of Arts and Culture ~~Cultural Affairs~~ of  
198 the Department of State shall adopt rules necessary to carry out  
199 the purposes of this section, including, but not limited to,  
200 procedures for accepting nominations to, making recommendations  
201 for, selecting members of the Florida Artists Hall of Fame, and  
202 providing travel expenses for such recipients. Notwithstanding  
203 ~~the provisions of~~ s. 112.061, the Secretary of State may approve

576-04226-21

20211404c1

204 first-class travel accommodations for recipients of the Florida  
205 Artists Hall of Fame award and their representatives for health  
206 or security purposes.

207 Section 8. Subsections (1) and (5) of section 265.701,  
208 Florida Statutes, are amended to read:

209 265.701 Cultural facilities; grants for acquisition,  
210 renovation, or construction; funding; approval; allocation.—

211 (1) The Division of Arts and Culture ~~Cultural Affairs~~ may  
212 accept and administer moneys appropriated to it for providing  
213 grants to counties, municipalities, and qualifying nonprofit  
214 corporations for the acquisition, renovation, or construction of  
215 cultural facilities.

216 (5) The Division of Arts and Culture ~~Cultural Affairs~~ shall  
217 adopt rules prescribing the criteria to be applied by the  
218 Florida Council on Arts and Culture in recommending applications  
219 for the award of grants and rules providing for the  
220 administration of ~~the other provisions of~~ this section.

221 Section 9. Section 265.7025, Florida Statutes, is repealed.

222 Section 10. Subsection (3) of section 265.703, Florida  
223 Statutes, is amended to read:

224 265.703 Citizen support organizations; use of state  
225 administrative services and property; audit.—

226 (3) ANNUAL AUDIT.—The citizen support organization shall  
227 provide for an annual financial audit in accordance with s.  
228 215.981. ~~Information of the Museum of Florida History citizen~~  
229 ~~support organization which is confidential and exempt pursuant~~  
230 ~~to s. 267.17 shall retain its confidential and exempt status.~~

231 Section 11. Section 265.704, Florida Statutes, is repealed.

232 Section 12. Section 265.705, Florida Statutes, is repealed.



576-04226-21

20211404c1

233 Section 13. Section 265.706, Florida Statutes, is repealed.

234 Section 14. Section 265.709, Florida Statutes, is repealed.

235 Section 15. Section 267.021, Florida Statutes, is reordered  
236 and amended to read:

237 267.021 Definitions.—For the purpose of this act, the term:

238 (2)~~(1)~~ "Division" means the Division of Historical  
239 Resources of the Department of State.

240 (1)~~(2)~~ "Agency" means any state, county, or municipal  
241 officer, department, division, board, bureau, commission, or  
242 other separate unit of government created or established by law.

243 (5)~~(3)~~ "Historic property" or "historic resource" means any  
244 prehistoric or historic district, site, building, object, or  
245 other real or personal property of historical, architectural, or  
246 archaeological value, and folklife resources. These properties  
247 or resources may include, but are not limited to, monuments,  
248 memorials, Indian habitations, ceremonial sites, abandoned  
249 settlements, sunken or abandoned ships, engineering works,  
250 treasure trove, artifacts, or other objects with intrinsic  
251 historical or archaeological value, or any part thereof,  
252 relating to the history, government, and culture of the state.

253 (8)~~(4)~~ "Preservation" or "historic preservation" means the  
254 identification, evaluation, recordation, documentation,  
255 analysis, recovery, interpretation, curation, acquisition,  
256 protection, management, rehabilitation, restoration,  
257 stabilization, maintenance, or reconstruction of historic  
258 properties.

259 (6)~~(5)~~ "National Register of Historic Places" means the  
260 list of historic properties significant in American history,  
261 architecture, archaeology, engineering, and culture, maintained

576-04226-21

20211404c1

262 by the Secretary of the Interior, as established by the National  
263 Historic Preservation Act of 1966, as amended.

264 ~~(6) "Folklife" means the traditional expressive culture~~  
265 ~~shared within the various groups in Florida: familial, ethnic,~~  
266 ~~occupational, religious, and regional. Expressive culture~~  
267 ~~includes a wide range of creative and symbolic forms such as~~  
268 ~~custom, belief, technical skill, language, literature, art,~~  
269 ~~architecture, music, play, dance, drama, ritual, pageantry, and~~  
270 ~~handicraft, which forms are generally learned orally, by~~  
271 ~~imitation, or in performance and are maintained or perpetuated~~  
272 ~~without formal instruction or institutional direction.~~

273 (3)~~(7)~~ "Florida history museum" means a public or private  
274 nonprofit institution which is established permanently in this  
275 state for the purpose of promoting and encouraging knowledge and  
276 appreciation of Florida history through the collection,  
277 preservation, exhibition, and interpretation of artifacts and  
278 other historical properties related to Florida history and the  
279 primary role of which is to collect and care for artifacts and  
280 other objects of intrinsic historical or archaeological value  
281 and exhibit them regularly through a facility or facilities  
282 owned or operated by the institution.

283 (7)~~(8)~~ "Official Florida Historical Marker" means any  
284 marker, plaque, or similar device awarded, approved, or  
285 administered by the Division of Historical Resources for the  
286 purpose of recognizing and informing the general public about  
287 historic properties, persons, events, and other topics relating  
288 to the history and culture of the state.

289 (4) "Historical museum" means a department or an agency of  
290 state or local government or a public or private nonprofit

576-04226-21

20211404c1

291 organization located in Florida and operating on a permanent  
292 basis for the primary purpose of sponsoring, producing, and  
293 exhibiting educational programs that are related to the  
294 historical resources of Florida.

295 Section 16. Subsection (2) of section 267.071, Florida  
296 Statutes, is amended, and subsection (4) is added to that  
297 section, to read:

298 267.071 Historical museums.—It is the duty of the division  
299 to:

300 (2) Encourage, promote, maintain, and operate historical  
301 museums, including the Museum of Florida History, ~~but not~~  
302 ~~limited to~~, mobile museums, and other Florida history junior  
303 museums.

304 (4) (a) Establish professional standards for the  
305 preservation, exclusive of acquisition, of each of the  
306 collections under state ownership or control.

307 (b) Take such other actions as are necessary or appropriate  
308 to locate, acquire, preserve, operate, interpret, and promote  
309 the location, acquisition, protection, preservation, operation,  
310 and interpretation of historical artifacts and resources to  
311 foster an appreciation of Florida history and culture.

312 Section 17. Section 265.707, Florida Statutes, is  
313 transferred, renumbered as section 267.0721, Florida Statutes,  
314 and amended to read:

315 267.0721 ~~265.707~~ Museum of Florida History and programs;  
316 other historical museums.—

317 (1) The division is authorized to operate the Museum of  
318 Florida History and other historical museums.

319 (2) The division shall establish and administer a museum

576-04226-21

20211404c1

320 store for ~~in~~ the Museum of Florida History to provide  
321 information and materials relating to Florida history, museum  
322 exhibits, collections, and programs to the public and may  
323 operate additional stores associated with the museum. The stores  
324 ~~store~~ may produce, acquire, and sell craft products, clearly  
325 marked replicas and reproductions of artifacts, documents, and  
326 other merchandise relating to historical and cultural resources  
327 and may make a reasonable charge for such merchandise. All  
328 proceeds received from sales must be deposited into the Grants  
329 and Donations Trust Fund, or funds in excess of the amount  
330 required to pay employees involved in the direct management of  
331 the museum store may be deposited into a bank account of a the  
332 citizen support organization created pursuant to s. 267.17 or  
333 created before July 1, 2021, pursuant to s. 265.703 and may be  
334 used only to support operations of the museum stores and the  
335 programs of the Museum of Florida History or other museums  
336 operated by the division. The museum stores ~~store~~ may enter into  
337 agreements and accept credit card ~~credit-card~~ payments as  
338 compensation for goods and products sold. The division may  
339 establish accounts in credit card ~~credit-card~~ banks for the  
340 deposit of credit card ~~credit-card~~ sales invoices and to pay  
341 discounts and service charges in connection with the use of  
342 credit cards.

343 (3) The division shall support the establishment and  
344 operation of a nonprofit organization or association established  
345 pursuant to s. 267.17 or established before July 1, 2021,  
346 pursuant to s. 265.703 to promote and encourage knowledge and  
347 appreciation of Florida history and the programs of the Museum  
348 of Florida History and other museums operated by the division

576-04226-21

20211404c1

349 and to cooperate with historical societies and other  
350 organizations to provide funding and promotional support for the  
351 programs of the museum. Such organization or association may,  
352 with the consent of the division, operate the museum store or  
353 conduct special events and programs in the museum. All proceeds  
354 must be used to support the programs of the Museum of Florida  
355 History and other museums operated by the division.

356 (4) The division may ~~shall~~ deposit grant funding, gifts,  
357 and donations for the purpose of assisting the Museum of Florida  
358 History and its programs in the Grants and Donations Trust Fund  
359 to be used exclusively for the benefit of programs of the museum  
360 and in a manner consistent with any terms or conditions agreed  
361 to by the division in accepting such grants, gifts, and  
362 donations.

363 Section 18. Section 265.565, Florida Statutes, is  
364 transferred and renumbered as section 267.0723, Florida  
365 Statutes, present paragraphs (a) through (f) of subsection (2)  
366 of that section are redesignated as paragraphs (b) through (g),  
367 respectively, a new paragraph (a) is added to that subsection  
368 and subsection (13) is added to that section, and paragraphs (a)  
369 and (b) of subsection (3), paragraph (c) of subsection (5), and  
370 subsections (6) and (12) of that section are amended, to read:

371 267.0723 ~~265.565~~ Property loaned to or abandoned at  
372 museums; obligations to lenders; notice; loan termination;  
373 acquisition of title; liens; conservation or disposal.—

374 (2) DEFINITIONS.—

375 (a) "Abandoned property" means property left at or  
376 delivered to a museum with no loan, deed of gift, or donation  
377 paperwork.

576-04226-21

20211404c1

378 (3) OBLIGATIONS OF MUSEUMS TO LENDERS.—

379 (a) For property loaned to a museum after the effective  
380 date of this act, the museum shall:

381 1. Make and retain a written record containing, at a  
382 minimum, the lender's name, address, and telephone number, a  
383 description of the property loaned in sufficient detail for  
384 clear identification, including a description of the general  
385 condition of the property at the time of the loan, the beginning  
386 date of the loan, and the expiration date of the loan.

387 2. Provide the lender with a signed receipt or loan  
388 agreement containing, at a minimum, the record set forth in  
389 subparagraph 1.

390 ~~3. Inform the lender of the existence of the provisions of~~  
391 ~~this act and~~ Provide the lender with a copy of ~~the provisions of~~  
392 this act upon the lender's request.

393 (b) Regardless of the date of a loan of property, the  
394 museum shall:

395 1. Update its records if a lender informs the museum of a  
396 change of address or change in ownership of property loaned, or  
397 if the lender and museum negotiate a change in the duration of  
398 the loan.

399 ~~2. Inform the lender of the existence of the provisions of~~  
400 ~~this act~~ When renewing or updating the records of an existing  
401 loan, and provide the lender with a copy of ~~the provisions of~~  
402 this act upon the lender's request.

403 (5) TERMINATION OF LOANS.—

404 (c) If the museum is unable to identify sufficient  
405 information to send notice pursuant to paragraph (b), or if a  
406 signed return receipt of a notice sent by certified mail

576-04226-21

20211404c1

407 pursuant to paragraph (b) is not received by the museum within  
408 30 days after the notice is mailed, the museum shall publish the  
409 notice of termination of loan containing all the information  
410 available to the museum provided in paragraph (b) on its website  
411 and at least twice, 60 or more days apart, in a publication of  
412 general physical or online circulation in the county in which  
413 the museum is located and the county of the lender's last known  
414 address, if known.

415 (6) MUSEUM GAINING TITLE TO LOANED PROPERTY; CONDITIONS.—As  
416 of the effective date of this act, a museum acquires title to  
417 unclaimed property under any of the following circumstances:

418 (a) For property for which a museum provides notice to a  
419 lender in accordance with paragraph (5) (b) and a signed receipt  
420 is received, if the lender of the property does not contact the  
421 museum within 90 days after the date notice was received.

422 (b) For property for which notice by publication is made  
423 pursuant to paragraph (5) (c), if the lender or anyone claiming a  
424 legal interest in the property does not contact the museum  
425 within 90 days after the date of the ~~second~~ publication.

426 (12) LIABILITY.—If a museum applies conservation measures  
427 to or disposes of a property pursuant to subsection (11), the  
428 museum shall have a lien on the property and on the proceeds  
429 from any disposition thereof for the costs incurred by the  
430 museum, and the museum shall not be liable for injury to or loss  
431 of the property if:

432 (a) The museum had a reasonable belief at the time the  
433 action was taken that the action was necessary to protect the  
434 property on loan or other property in the custody of the museum,  
435 or that the property on loan constituted a hazard to the health

576-04226-21

20211404c1

436 and safety of the public or the museum's staff.

437 (b) The museum exercised reasonable care in the choice and  
438 application of conservation measures.

439 (13) DISPOSITION OF ABANDONED PROPERTY.—A museum may keep,  
440 transfer, sell, or dispose of abandoned property.

441 Section 19. Subsection (1) of section 267.115, Florida  
442 Statutes, is amended to read:

443 267.115 Objects of historical or archaeological value.—The  
444 division shall acquire, maintain, preserve, interpret, exhibit,  
445 and make available for study objects which have intrinsic  
446 historical or archaeological value relating to the history,  
447 government, or culture of the state. Such objects may include  
448 tangible personal property of historical or archaeological  
449 value. Objects acquired under this section belong to the state,  
450 and title to such objects is vested in the division.

451 (1) Notwithstanding s. 273.02, the division shall maintain  
452 an adequate record of all objects in its custody which have a  
453 historical or archaeological value. Once each year, on July 1 or  
454 as soon thereafter as practicable, the division shall take a  
455 complete inventory of all such objects in its custody the value  
456 or cost of which is \$1,000 ~~\$500~~ or more and a sample inventory  
457 of such objects the value or cost of which is less than \$1,000  
458 ~~\$500~~. Each inventory shall be compared with the property record,  
459 and all discrepancies shall be traced and reconciled. Objects of  
460 historical or archaeological value are not required to be  
461 identified by marking or other physical alteration of the  
462 objects.

463 Section 20. Section 267.16, Florida Statutes, is  
464 transferred and renumbered as section 265.802, Florida Statutes.



576-04226-21

20211404c1

465 Section 21. Section 267.161, Florida Statutes, is  
466 transferred and renumbered as section 265.803, Florida Statutes.

467 Section 22. Section 258.081, Florida Statutes, is amended  
468 to read:

469 258.081 Stephen Foster State Folk Culture Center.—The  
470 division shall maintain and operate the Stephen Foster State  
471 Folk Culture Center facility in such manner that the performing  
472 arts component of the Florida Folklife Programs provided in s.  
473 265.802 ~~s. 267.16~~ shall have priority use of the facility.

474 Section 23. Subsection (4) of section 468.401, Florida  
475 Statutes, is amended to read:

476 468.401 Regulation of talent agencies; definitions.—As used  
477 in this part or any rule adopted pursuant hereto:

478 (4) "Engagement" means any employment or placement of an  
479 artist, where the artist performs in his or her artistic  
480 capacity. However, the term "engagement" shall not apply to  
481 procuring opera, music, theater, or dance engagements for any  
482 organization defined in s. 501(c)(3) of the Internal Revenue  
483 Code or any nonprofit Florida arts organization that has  
484 received a grant from the Division of Arts and Culture ~~Cultural~~  
485 ~~Affairs~~ of the Department of State or has participated in the  
486 state touring program of the Division of Arts and Culture  
487 ~~Cultural Affairs~~.

488 Section 24. Paragraph (d) of subsection (2) of section  
489 553.902, Florida Statutes, is amended to read:

490 553.902 Definitions.—As used in this part, the term:

491 (2) "Exempted building" means:

492 (d) A historical building as defined ~~described~~ in s.  
493 267.021 ~~s. 267.021(3)~~.

576-04226-21

20211404c1

494

495 The Florida Building Commission may recommend to the Legislature  
496 additional types of buildings which should be exempted from  
497 compliance with the Florida Building Code-Energy Conservation.

498 Section 25. Subsection (1) of section 2 of chapter 2020-88,  
499 Laws of Florida, is amended to read:

500 Section 2. The Secretary of State is directed to:

501 (1) In coordination with the Division of Historical  
502 Resources ~~Cultural Affairs~~ of the Department of State, determine  
503 how the Museum of Florida History and other state museums will  
504 promote the history of the 1920 Ocoee Election Day Riots through  
505 exhibits and educational programs.

506 Section 26. This act shall take effect July 1, 2021.