

ENROLLED

HB 5301, Engrossed 1

2022 Legislature

1  
2 An act relating to the Capitol Complex; amending s.  
3 265.111, F.S.; prohibiting the construction and  
4 placement of a monument on the premises of the Capitol  
5 Complex unless the design and placement of such  
6 monument is approved by certain persons after  
7 considering the recommendations of certain entities;  
8 amending s. 267.0612, F.S.; revising the entities to  
9 which the Florida Historical Commission shall provide  
10 certain recommendations; amending s. 272.09, F.S.;  
11 defining the term "Capitol Complex"; requiring the  
12 Department of Management Services to annually submit a  
13 report detailing the maintenance and upkeep for the  
14 Capitol Complex to the Governor and the Legislature by  
15 a specified date; providing specifications for the  
16 report; requiring the Department of Management  
17 Services to consult with the Governor and the  
18 Legislature before closing and reopening areas within  
19 the Capitol Complex during a declared state of  
20 emergency; prohibiting the department from closing or  
21 reopening areas within the Capitol Complex used for  
22 legislative business without the approval of the  
23 Legislature; providing an effective date.

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

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Section 1. Subsection (2) of section 265.111, Florida Statutes, is amended to read:

265.111 Capitol Complex; monuments.—

(2) The construction and placement of a monument on the premises of the Capitol Complex, as defined in s. 281.01, is prohibited unless authorized by general law and unless the design and placement of the monument is approved, ~~by the Department of Management Services~~ after considering the recommendations of the Department of Management Services and the Florida Historical Commission, pursuant to s. 267.0612(9), by each of the following officers, or his or her designee:

- (a) The Governor.
- (b) The Attorney General.
- (c) The Chief Financial Officer.
- (d) The Commissioner of Agriculture.
- (e) The President of the Senate.
- (f) The Speaker of the House of Representatives.

The Department of Management Services shall coordinate with the Division of Historical Resources of the Department of State regarding a monument's design and placement subject to the division's powers and duties under s. 267.031.

Section 2. Subsection (9) of section 267.0612, Florida Statutes, is amended to read:

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51           267.0612 Florida Historical Commission; creation;  
 52 membership; powers and duties.—In order to enhance public  
 53 participation and involvement in the preservation and protection  
 54 of the state's historic and archaeological sites and properties,  
 55 there is created within the Department of State the "Florida  
 56 Historical Commission." The commission shall serve in an  
 57 advisory capacity to the director of the Division of Historical  
 58 Resources to assist the director in carrying out the purposes,  
 59 duties, and responsibilities of the division, as specified in  
 60 this chapter.

61           (9) The commission shall provide recommendations to the  
 62 Governor, the Attorney General, the Chief Financial Officer, the  
 63 Commissioner of Agriculture, the President of the Senate, and  
 64 the Speaker of the House of Representatives ~~Department of~~  
 65 ~~Management Services~~ on the design and placement of monuments  
 66 authorized by general law to be placed on the premises of the  
 67 Capitol Complex pursuant to s. 265.111.

68           Section 3. Section 272.09, Florida Statutes, is amended to  
 69 read:

70           272.09 Management, maintenance, and upkeep of Capitol  
 71 Center.—

72           (1) For purposes of this section, the term "Capitol  
 73 Complex" means the portion of the Capitol Center commonly  
 74 referred to as the Capitol, the Historic Capitol, the Senate  
 75 Office Building, the House Office Building, the Knott Building,

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76 | the Pepper Building, and the curtilage of each, including the  
 77 | state-owned lands and public streets adjacent thereto within an  
 78 | area bounded by and including Monroe Street, Jefferson Street,  
 79 | Duval Street, and Gaines Street.

80 |       (2) The management, maintenance, and upkeep of the Capitol  
 81 | Center as described ~~defined~~ in s. 272.03, are hereby vested in  
 82 | and made the direct obligation of the Department of Management  
 83 | Services, which shall have authority to do all things necessary  
 84 | to satisfactorily accomplish these functions, including the  
 85 | employment of a superintendent of grounds and buildings and  
 86 | other employees; the establishment of central repair and  
 87 | maintenance shops; and the designation or appointment of  
 88 | nonsalaried advisory committees to advise with them.

89 |       (3) By December 1, 2022, and annually thereafter, the  
 90 | Department of Management Services shall submit to the Governor,  
 91 | the President of the Senate, and the Speaker of the House of  
 92 | Representatives a report detailing the maintenance and upkeep  
 93 | for the Capitol Complex. The report must identify, for the last  
 94 | completed fiscal year, the current fiscal year, and the upcoming  
 95 | fiscal year:

96 |           (a) The Capitol Complex maintenance and repairs completed  
 97 | or planned.

98 |           (b) Any necessary structural modifications and major  
 99 | repairs to the Capitol Complex.

100 |           (c) The costs or cost estimates for all items identified

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101 in paragraphs (a) and (b).

102 (d) The schedule for commencement and completion of the  
 103 items identified in paragraphs (a) and (b).

104 (4)(a) In response to a state of emergency declared  
 105 pursuant to s. 252.36, the Department of Management Services  
 106 must consult with the Governor, the President of the Senate, and  
 107 the Speaker of the House of Representatives before closing or  
 108 reopening access to any portion of the Capitol Complex to the  
 109 public or to the employees assigned to work in that portion of  
 110 the Capitol Complex.

111 (b) The Department of Management Services may not close or  
 112 reopen access to any portion of the Capitol Complex used for  
 113 legislative business without the approval of the President of  
 114 the Senate and the Speaker of the House of Representatives.

115 Section 4. This act shall take effect July 1, 2022.

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