

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: SB 2506

INTRODUCER: Appropriations Committee

SUBJECT: Capitol Complex

DATE: March 29, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
Davis	Sadberry	AP	AP Submitted as Comm. Bill/Fav

I. Summary:

SB 2506 revises the term “Capitol Complex,” in s. 281.01, F.S., for the purposes of memorials, to include the Holland Building, Elliot Building, and the associated parking garages, and modifies the boundaries of the Capitol Complex to include the state-owned lands and public streets adjacent within an area bounded by and including Calhoun Street, East Pensacola Street, Monroe Street, Jefferson Street, Duval Street, and Gaines Street.

In addition, the bill designates a specified portion of the Capitol Complex as “Memorial Park.” Authorized monuments must be placed within Memorial Park. The bill provides the Capitol Police are responsible for providing and maintaining the security of Memorial Park, including providing security and protection for state officials, employees, and visitors to Memorial Park.

The bill takes effect July 1, 2023.

II. Present Situation:

Managing the Capitol Center

Chapter 272, F.S., provides that the Capitol Center¹ is under the general control and supervision of the Department of Management Services (DMS),² which includes the management and maintenance of both the grounds and buildings.³ The DMS is authorized to allocate space in the specified buildings to house various departments, agencies, boards, and commissions except the Supreme Court Building.⁴ Additionally, the DMS has the authority to provide for the

¹ Section 272.12, F.S., describes the Tallahassee area bound by South Martin Luther King, Jr. Boulevard, East and West College Avenue, Franklin Boulevard, East Jefferson Street, and the Seaboard Coastline Railway right-of-way as the Capitol Center.

² Section 272.03, F.S.

³ Section 272.09, F.S.

⁴ Section 272.04, F.S.

establishment of parks, walkways, and parkways on the grounds of the Capitol Center.⁵ This responsibility has historically included assistance in establishing and maintaining public memorials throughout the Capitol Center, including project management oversight of the design and construction of memorials.⁶

The term “Capitol Complex” is defined to include:

that portion of Tallahassee, Leon County, Florida, commonly referred to as the Capitol, the Historic Capitol, the Senate Office Building, the House Office Building, the Knott Building, the Pepper Building, the Holland Building, and the curtilage of each, including the state-owned lands and public streets adjacent thereto within an area bounded by and including Monroe Street, Jefferson Street, Duval Street, and Gaines Street. The term shall also include the State Capital Circle Office Complex located in Leon County, Florida.⁷

The management, maintenance, and upkeep of the Capital Complex is the obligation of the DMS, which has authority to employ a superintendent of the grounds and other employees, and is authorized to designate or appoint a nonsalaried advisory committee to advise them.⁸

Capitol Complex Monuments

A monument is defined as “a marker, statue, sculpture, plaque, or other artifice, including living plant material, placed in remembrance or recognition of a significant person or event in Florida history.”⁹ The DMS is required to set aside an area of the Capitol Complex to dedicate a memorial garden on which authorized monuments must be placed.¹⁰ The construction and placement of a monument on the premises of the Capitol Complex is prohibited unless authorized by general law. Additionally, the construction and placement of a monument on the premises of the Capitol Complex must be approved, after considering the recommendations of DMS and the Florida Historical Commission¹¹, by the following persons:

- The Governor, or his or her designee.
- The Attorney General, or his or her designee.
- The Chief Financial Officer, or his or her designee.
- The Commissioner of Agriculture, or his or her designee.
- The President of the Senate, or his or her designee.
- The Speaker of the House of Representatives, or his or her designee.¹²

⁵ Section 272.07, F.S.

⁶ See DMS, *2014 Agency Legislative Bill Analysis for SB 608* at 2 (Feb. 19, 2014) (on file with the Senate Appropriations Committee).

⁷ Section 281.01, F.S. The Caldwell Building lies within the bounded area described in current law, but is not specifically named in statutes and therefore not considered as part of the Capitol Complex.

⁸ Section 272.09, F.S.

⁹ Section 265.111(1), F.S.

¹⁰ Section 265.111(3), F.S.

¹¹ The Florida Historical Commission is required to provide recommendations on the design and placement of monuments authorized by general law pursuant to s. 267.0612(9), F.S.

¹² Section 265.111(2), F.S.

Also, the DMS must coordinate with the Division of Historical Resources of the Department of State regarding a monument’s design and placement.¹³

To date, there have been 13 memorials authorized by general law. Of the 13, eight have been completed, three have been funded, and two have not been funded. The following chart shows each statutorily authorized memorial.¹⁴

Memorial	Statutory Authority	Funded Y/N	Year Authorized	Status
Florida Women’s Hall of Fame	265.001	Y	1992	Completed
Florida Medal of Honor Wall	265.002	Y	1996	Completed
Florida Veterans’ Hall of Fame	265.003	Y	2011	Completed
POW-MIA Chair of Honor Memorial	265.00301	Y	2014	Completed-2022
Florida Veterans’ Walk of Honor and Florida Veterans’ Memorial Garden	265.0031	N	2014	TBD
Florida Tourism Hall of Fame	265.004	Y	2014	Completed
Florida Law Enforcement Officers’ Hall of Fame	265.0041	Y	2014	Completed
Florida Holocaust Memorial	265.005	Y	2016	In Design
Florida Slavery Memorial	265.006	Y	2018	In Design
Arthur G. Dozier School for Boys Memorial (Dozier School, Marianna)	265.007	Y	2017	Completed-2023
Arthur G. Dozier School for Boys Memorial (Florida Capitol)	265.007	Y	2017	Designed
POW-MIA Vietnam Veterans Bracelet Memorial	265.008	Y	2021	Completed-2021
Beirut monument	265.111	N	2014	TBD

III. Effect of Proposed Changes:

Capitol Complex Definitions and Monuments

The bill amends ss. 272.09, and 281.01 F.S., to modify the definition of the term “Capitol Complex” to include the Holland Building, the Elliot Building, and their associated parking garages. To effectuate this change, the bill expands the area of the Capitol Complex to include the state-owned lands and public streets adjacent within an area bounded by and including Calhoun Street, East Pensacola Street, Monroe Street, Jefferson Street, Duval Street, and Gaines Street.

¹³ *Id.*

¹⁴ Email from the Deputy Secretary of Business Operations, Office of the Secretary, Department of Management Services, RE: Monuments (Mar. 6, 2023).

The bill amends s. 265.111, F.S., to remove the requirement that the DMS, in consultation with the Florida Historical Commission, dedicate an area of the Capitol Complex as a memorial garden. Instead, the bill requires the DMS to set aside and dedicate an area of the Capitol Complex to be known as "Memorial Park." The bill defines "Memorial Park" as the portion of the Capitol Complex existing between and including the Elliot Building and the Holland Building within an area bounded by and including Monroe Street, Gaines Street, Calhoun Street, and East Pensacola Street. Authorized monuments must be placed within Memorial Park. In addition, the bill provides that the Capitol Police are responsible for providing and maintaining the security of the area of the Capitol Complex known as "Memorial Park," including providing security and protection for state officials, employees, and visitors.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

SB 2500, the Senate proposed General Appropriations Act (GAA), provides \$2 million from the Architects Incidental Trust Fund to the DMS for the demolition of the Elliot Building located in Leon County and the creation of the Memorial Park. The proviso states that, from the funds, \$1 million shall be placed in reserve. The DMS is authorized

to submit budget amendments to request release of funds. The budget amendment must include the design of the Memorial Park with the recommended placement of all authorized memorials. Funding is contingent upon this bill or similar legislation becoming a law.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 265.111, 272.09, and 281.01.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.