

By the Committee on Governmental Oversight and Accountability;
and Senator Grall

585-03150-25

20251524c1

A bill to be entitled

An act relating to the Department of State; repealing s. 113.01, F.S., relating to a fee for commissions issued by the Governor; repealing s. 113.02, F.S., relating to fees to be paid before commissions are issued; repealing s. 113.03, F.S., relating to disposition of proceeds; amending s. 113.051, F.S.; prohibiting commissions from being issued by the Governor, attested to by the Secretary of State, or bearing the seal of the state until the oath of office is filed as required; amending ss. 117.01 and 117.225, F.S.; conforming provisions to changes made by the act; amending s. 117.295, F.S.; conforming a cross-reference; amending s. 257.031, F.S.; revising the entity that accredits a specified library school program; amending s. 257.12, F.S.; revising duties of the State Library Council; authorizing the Secretary of State to review and identify certain funding recommendations made by the council; defining the term "harmful to minors"; amending s. 257.17, F.S.; conforming provisions to changes made by the act; amending s. 257.191, F.S.; requiring the Secretary of State to identify whether construction grant funds meet certain criteria and are used for certain purposes; defining the term "harmful to minors"; requiring the secretary to submit a recommended list to the Legislature for funding consideration; amending s. 257.23, F.S.; requiring the secretary to identify whether construction grant funds meet certain criteria

585-03150-25

20251524c1

and are used for certain purposes; defining the term "harmful to minors"; repealing s. 257.34, F.S., relating to the Florida International Archive and Repository; amending s. 257.42, F.S.; requiring the secretary to identify whether library cooperative grant funds meet certain criteria and are used for certain purposes; defining the term "harmful to minors"; amending s. 265.283, F.S.; deleting the definitions of the terms "panel," "state touring program grants," and "underserved arts community assistance program grants"; amending s. 265.284, F.S.; providing that the secretary is the chief arts and culture officer of the state; amending s. 265.285, F.S.; revising the membership of the Florida Council on Arts and Culture; prohibiting council members from receiving financial compensation under specified circumstances; providing an exception; revising duties of the council; defining the term "harmful to minors"; amending s. 265.286, F.S.; defining the term "harmful to minors"; requiring the Division of Arts and Culture to accept applications for arts and cultural grants for specified purposes; specifying eligibility criteria; deleting review panel member appointments and criteria; authorizing the secretary to review a specified list and provide comments to the Legislature; requiring that specified grant funds meet certain criteria and are used for certain purposes; requiring the secretary to submit a recommended list to the Legislature for funding consideration;

585-03150-25

20251524c1

59 providing activities and programs for which the
60 division may award grants; revising items for which
61 the division may adopt rules; prohibiting applicants
62 for grant funding from having substantial interests
63 for certain recommendations; requiring the secretary
64 to submit a recommended list to the Legislature for
65 funding consideration; authorizing the council and
66 secretary to provide a separate list for certain
67 activities and programs; providing applicability;
68 providing expiration dates for certain purposes;
69 amending s. 265.2865, F.S.; authorizing, rather than
70 requiring, the council to accept and recommend
71 nominations for certain purposes annually; reducing
72 the number of members the secretary may name to the
73 Florida Artists Hall of Fame in any nomination year;
74 authorizing, rather than requiring, the secretary to
75 annually request an appropriation for certain
76 purposes; amending s. 265.701, F.S.; deleting an
77 authorization for certain grant funds to be used to
78 acquire cultural facilities; authorizing the secretary
79 to review a specified list and provide comments to the
80 Legislature; requiring that grant funds meet certain
81 criteria and are used for certain purposes; defining
82 the term "harmful to minors"; requiring the secretary
83 to submit a recommended list to the Legislature for
84 funding considerations; authorizing the council and
85 secretary to provide a separate list for certain
86 activities and programs; providing applicability;
87 providing expiration dates for a certain purpose;

585-03150-25

20251524c1

amending s. 265.703, F.S.; revising the programs for which citizen support organizations may provide support; amending s. 265.803, F.S.; revising programmatic set-up and functions of the Florida Folklife Council; amending s. 267.0612, F.S.; requiring the secretary to review special category historic preservation grants-in-aid recommendations of the Florida Historical Commission; amending s. 267.0617, F.S.; deleting a provision that requires certain funds to be credited to the Historical Resources Operating Trust Fund; authorizing the secretary to review specified lists and provide comments to the Legislature; requiring that grant funds meet certain criteria and are used for certain purposes; requiring the secretary to submit recommended lists to the Legislature for funding consideration; defining the term "harmful to minors"; repealing s. 267.0722, F.S., relating to the Florida Museum of Black History; amending s. 267.075, F.S.; deleting provisions relating to The Grove Advisory Council; amending s. 267.21, F.S.; revising mechanisms by which state funds to assist abandoned African-American cemeteries may be awarded; authorizing the secretary to review a specified list and provide comments to the Legislature; requiring that grant funds meet certain criteria and are used for certain purposes; requiring the secretary to submit a recommended list to the Legislature for funding consideration; defining the term "harmful to minors";

585-03150-25

20251524c1

amending s. 267.22, F.S.; revising programmatic duties and composition of the Historic Cemeteries Program Advisory Council; requiring the council to evaluate proposals for awards of grants relating to abandoned African-American cemeteries; providing an effective date.

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

Section 1. Section 113.01, Florida Statutes, is repealed.

Section 2. Section 113.02, Florida Statutes, is repealed.

Section 3. Section 113.03, Florida Statutes, is repealed.

Section 4. Section 113.051, Florida Statutes, is amended to read:

113.051 Grants and commissions.—All grants and commissions shall be in the name and under the authority of the State of Florida, sealed with the great seal of the state, signed by the Governor, and countersigned by the Secretary of State. A commission may not be issued by the Governor or attested to by the Secretary of State and may not bear the seal of the state until the oath of office is filed as required by s. 113.06.

Section 5. Subsection (2) of section 117.01, Florida Statutes, is amended to read:

117.01 Appointment, application, suspension, revocation, application fee, bond, and oath.—

(2) The application for appointment must ~~shall~~ be signed and sworn to by the applicant and must ~~shall~~ be accompanied by a fee of \$25, ~~together with the \$10 commission fee required by s. 113.01,~~ and a surcharge of \$4, which \$4 is appropriated to the

585-03150-25

20251524c1

Executive Office of the Governor to be used to educate and assist notaries public. The Executive Office of the Governor may contract with private vendors to provide the services set forth in this section. However, a ~~no~~ commission fee is not ~~shall be~~ required for the issuance of a commission as a notary public to a veteran who served during a period of wartime service, as defined in s. 1.01(14), and who has been rated by the United States Government or the United States Department of Veterans Affairs or its predecessor to have a disability rating of 50 percent or more; such a disability is subject to verification by the Secretary of State, who has authority to adopt reasonable procedures to implement this act. The oath of office and notary bond required by this section must ~~shall~~ also accompany the application and must ~~shall~~ be in a form prescribed by the Department of State which must ~~shall~~ require, but is not ~~be~~ limited to, the following information: full name, residence address and telephone number, business address and telephone number, date of birth, race, sex, social security number, citizenship status, driver license number or the number of other official state-issued identification, affidavit of good character from someone unrelated to the applicant who has known the applicant for 1 year or more, a list of all professional licenses and commissions issued by the state during the previous 10 years and a statement as to whether ~~or not~~ the applicant has had such license or commission revoked or suspended, and a statement as to whether ~~or not~~ the applicant has been convicted of a felony, and, if there has been a conviction, a statement of the nature of the felony and restoration of civil rights. The applicant may not use a fictitious or assumed name other than a

585-03150-25

20251524c1

175 nickname on an application for commission. The application must
176 ~~shall~~ be maintained by the Department of State for the full term
177 of a notary commission. A notary public shall notify, in
178 writing, the Department of State of any change in his or her
179 business address, home telephone number, business telephone
180 number, home address, or criminal record within 60 days after
181 such change. The Governor may require any other information he
182 or she deems necessary for determining whether an applicant is
183 eligible for a notary public commission. Each applicant must
184 swear or affirm on the application that the information on the
185 application is true and correct.

186 Section 6. Subsection (3) of section 117.225, Florida
187 Statutes, is amended to read:

188 117.225 Registration; qualifications.—A notary public, a
189 civil-law notary appointed under chapter 118, or a commissioner
190 of deeds appointed under part IV of chapter 721 may complete
191 registration as an online notary public with the Department of
192 State by:

193 ~~(3) Paying a notary public registration fee as required by~~
194 ~~s. 113.01.~~

195 Section 7. Paragraph (b) of subsection (2) of section
196 117.295, Florida Statutes, is amended to read:

197 117.295 Standards for electronic and online notarization;
198 rulemaking authority.—

199 (2) The Department of State shall:

200 (b) Publish on its website a list containing each online
201 notary public, the online notary public's RON service providers
202 from January 1, 2022, and thereafter, the effective dates during
203 which the online notary public used each RON service provider,

585-03150-25

20251524c1

as identified pursuant to ss. 117.225(4) and 117.265(5)(b) ~~ss. 117.225(5) and 117.265(5)(b)~~, any secure repositories to which the online notary public may have delegated his or her duties pursuant to s. 117.245(4) from January 1, 2022, and thereafter, and the effective dates of that delegation.

Section 8. Subsection (1) of section 257.031, Florida Statutes, is amended to read:

257.031 State Librarian; appointment and duties.—

(1) The State Librarian shall be appointed by the Secretary of State, shall have completed a library school program accredited by a national library professional ~~the American Library~~ association, and shall serve as the director of the Division of Library and Information Services of the Department of State. The Secretary of State may, in making the appointment of State Librarian, consult the members of the State Library Council.

Section 9. Subsection (4) is added to section 257.12, Florida Statutes, to read:

257.12 Division of Library and Information Services authorized to accept and expend federal funds.—

(4) The State Library Council, as provided in s. 257.02, shall develop recommendations for providing available federal funds to public libraries. The secretary may review and identify the funding recommendation list to identify whether federal grant funds awarded under this section are expended in compliance with all federal, state, and local laws and regulations and are used only for activities and programs that are not harmful to minors. For purposes of this subsection, the term "harmful to minors" means any reproduction, imitation,

585-03150-25

20251524c1

characterization, description, exhibition, presentation, or representation, in any manner or form, depicting sexual conduct or sexual excitement as those terms are defined in s. 847.001.

Section 10. Paragraph (a) of subsection (2) of section 257.17, Florida Statutes, is amended to read:

257.17 Operating grants.—A political subdivision that has been designated by a county or municipality as the single library administrative unit is eligible to receive from the state an annual operating grant of not more than 25 percent of all local funds expended by that political subdivision during the second preceding fiscal year for the operation and maintenance of a library, under the following conditions:

(2) The library established or maintained by such political subdivision shall:

(a) Be operated under a single administrative head who is an employee of the single library administrative unit and who has completed a library education program accredited by a national library professional ~~the American Library~~ association. The single administrative head shall have at least 2 years of full-time paid professional experience, after completing the library education program, in a public library that is open to the public for a minimum of 40 hours per week.

Section 11. Section 257.191, Florida Statutes, is amended to read:

257.191 Construction grants.—

(1) The Division of Library and Information Services may accept and administer library construction moneys appropriated to it and shall allocate such appropriation to municipal, county, and regional libraries in the form of library

585-03150-25

20251524c1

262 construction grants on a matching basis. The local matching
263 portion shall be no less than the grant amount, on a dollar-for-
264 dollar basis, up to the maximum grant amount, unless the
265 matching requirement is waived by s. 288.06561. Initiation of a
266 library construction project 12 months or less prior to the
267 grant award under this section shall not affect the eligibility
268 of an applicant to receive a library construction grant. The
269 division shall adopt rules for the administration of library
270 construction grants. For the purposes of this section, s. 257.21
271 does not apply.

272 (2) (a) The secretary shall identify whether the library
273 construction grants awarded under this section are expended in
274 compliance with all federal, state, and local laws and
275 regulations and are used only for activities and programs that
276 are not harmful to minors. For purposes of this paragraph, the
277 term "harmful to minors" means any reproduction, imitation,
278 characterization, description, exhibition, presentation, or
279 representation, in any manner or form, depicting sexual conduct
280 or sexual excitement as those terms are defined in s. 847.001.

281 (b) The secretary shall submit a recommended list to the
282 Legislature for funding consideration.

283 Section 12. Section 257.23, Florida Statutes, is amended to
284 read:

285 257.23 Application for grant.—

286 (1) The board of county commissioners of any county, the
287 chief executive officer of a municipality, or the governing body
288 of a special district or a special tax district desiring to
289 receive a grant under the provisions of ss. 257.14-257.25 shall
290 apply therefor to the Division of Library and Information

585-03150-25

20251524c1

Services on or before October 1 of each year on a form to be provided by the division. The application shall be signed by the chair of the board of county commissioners and attested by the clerk of the circuit court or the appropriate officer in a charter county, by the chief executive officer of a municipality and attested by the clerk of the municipality, or by the chair of the governing body and attested by the chief financial officer of a special district or a special tax district. The county, municipality, special district, or special tax district shall agree to observe the standards established by the division as authorized in s. 257.15. On or before December 1 each year, the applicant shall certify the annual tax income and the rate of tax or the annual appropriation for the free library or free library service, and shall furnish such other pertinent information as the division may require.

(2) The secretary shall identify whether grants awarded under this section are expended in compliance with all federal, state, and local laws and regulations and are used only for activities and programs that are not harmful to minors. For purposes of this subsection, the term "harmful to minors" means any reproduction, imitation, characterization, description, exhibition, presentation, or representation, in any manner or form, depicting sexual conduct or sexual excitement as those terms are defined in s. 847.001.

Section 13. Section 257.34, Florida Statutes, is repealed.

Section 14. Section 257.42, Florida Statutes, is amended to read:

257.42 Library cooperative grants.—

(1) The administrative unit of a library cooperative is

585-03150-25

20251524c1

eligible to receive an annual grant from the state for the purpose of sharing library resources based upon an annual plan of service and expenditure and an annually updated 5-year, long-range plan of cooperative library resource sharing. Those plans, which must include a component describing how the cooperative will share technology and the use of technology, must be submitted to the division for evaluation and possible recommendation for funding in the division's legislative budget request. Grant funds may not be used to supplant local funds or other funds. A library cooperative must provide from local sources matching cash funds equal to 10 percent of the grant award.

(2) The secretary shall identify whether state grant funds awarded under this section are expended in compliance with all federal, state, and local laws and regulations and are used only for activities and programs that are not harmful to minors. For purposes of this subsection, the term "harmful to minors" means any reproduction, imitation, characterization, description, exhibition, presentation, or representation, in any manner or form, depicting sexual conduct or sexual excitement as those terms are defined in s. 847.001.

Section 15. Subsections (12), (16) and (17) of section 265.283, Florida Statutes, are amended to read:

265.283 Definitions.—The following definitions shall apply to ss. 265.281-265.703:

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

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

585-03150-25

20251524c1

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

Section 16. Subsection (1) of section 265.284, Florida Statutes, is amended to read:

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

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

Section 17. Paragraphs (a) and (c) of subsection (1) and paragraphs (c), (e), (f), and (g) of subsection (2) of section 265.285, Florida Statutes, are amended to read:

265.285 Florida Council on Arts and Culture; membership, duties.—

(1)(a) The Florida Council on Arts and Culture is created within the department as an advisory body, as defined in s. 20.03(7). The council shall be composed of, consisting of 15 members. Seven members shall be appointed by the Governor in consultation with the Secretary of State, four members shall be appointed by the President of the Senate, and four members shall be appointed by the Speaker of the House of Representatives. Of the seven members appointed by the Governor, one member must be a licensed architect who has expertise in cultural facilities; one member must be an enrolled member of the Seminole Tribe of Florida; one member must be a professional public folklorist; one member must be a university affiliated folklorist; one member must be a practicing or former professional artist; and

585-03150-25

20251524c1

one member must be a retired chief executive officer of a
Florida-based accredited museum. The remaining member appointed
by the Governor and the four members appointed by the President
of the Senate and the Speaker of the House of Representatives,
respectively, must be representatives of the public with
demonstrated interest in and knowledge of the arts, culture,
museums, folklore, and cultural heritage traditions. The
appointments ~~that are, to be~~ made in consultation with the
Secretary of State, shall recognize the need for geographical
representation. Council members appointed by the Governor shall
be appointed for 4-year terms beginning on January 1 of the year
of appointment. Council members appointed by the President of
the Senate and the Speaker of the House of Representatives shall
be appointed for 2-year terms beginning on January 1 of the year
of appointment. A member of the council who serves two 4-year
terms or two 2-year terms is not eligible for reappointment for
1 year following the expiration of the member's second term. A
member whose term has expired shall continue to serve on the
council until such time as a replacement is appointed. Any
vacancy on the council shall be filled for the remainder of the
unexpired term in the same manner as for the original
appointment. Members should have a substantial history of
community service in the performing or visual arts, which
includes, but is not limited to, theater, dance, folk and
traditional arts, music, architecture, photography, literature,
and media arts, or in the areas of science, history, or
children's museums. In addition, it is desirable that members
have successfully served on boards of cultural institutions such
as museums and performing arts centers or are recognized as

585-03150-25

20251524c1

patrons of the arts. A member may not receive financial compensation as an employee or officer of an entity that has received grant funds or an applicant for division grant funding recommendations. This prohibition does not apply to an employee or officer of a state college or university.

(c) Members of the council ~~and panels~~ may not receive any compensation for their services but shall be reimbursed for travel and expenses incurred in the performance of their duties, as provided in s. 112.061.

(2) The council shall:

(c) Encourage the participation in and appreciation of arts, ~~and~~ culture, and folklife to meet the needs and aspirations of persons in all parts of the state.

(e) Encourage arts and culture development within communities ~~and assist freedom of artistic expression that is essential for the well-being of the arts.~~

(f) Advise the secretary in matters concerning the awarding of grants for arts and culture as authorized in this act and make funding recommendations for activities and programs that are not harmful to minors. For purposes of this paragraph, the term "harmful to minors" means any reproduction, imitation, characterization, description, exhibition, presentation, or representation, in any manner or form, depicting sexual conduct or sexual excitement as those terms are defined in s. 847.001.

(g) Promote and assist with division programs, such as the Major John Leroy Haynes Florida Veterans' History Program, the Arts and Culture recognition award program, and the apprenticeship program ~~the reading, writing, and appreciation of poetry throughout the state and accept nominations and recommend~~

585-03150-25

20251524c1

~~nominees for appointment as the State Poet Laureate under s.
265.2863.~~

Section 18. Section 265.286, Florida Statutes, is amended
to read:

265.286 Arts ~~Art~~ and cultural grants.—

(1) For purposes of this section, the term "harmful to
minors" means any reproduction, imitation, characterization,
description, exhibition, presentation, or representation, in any
manner or form, depicting sexual conduct or sexual excitement as
those terms are defined in s. 847.001.

(2) The division shall accept applications for arts and
cultural grants for activities and programs identified in
subsection (8) and based on the rules adopted under this
section.

(3) To be eligible for a grant, an applicant must:

(a) Be a nonprofit, tax-exempt Florida corporation or a
local or state governmental entity, school district, community
college, college, university, agency of state government, or
artist engaged in or concerned with arts and cultural
activities.

(b) Conduct activities and programs that are not harmful to
minors.

(c) Strictly conform with all applicable local, state, and
federal laws and regulations.

~~(4)(1) The secretary may appoint reviewers review panels
consisting of members from various art and cultural disciplines
and programs to assist the council in the grant application
review process. Appointed reviewers shall review Each panel
member shall be appointed to a 1-year term. Each panel shall~~

585-03150-25

20251524c1

465 ~~consist of practicing artists or other professionals actively~~
466 ~~involved in the specific discipline or program for which the~~
467 ~~panel has been appointed. Each panel shall review and score~~
468 ~~grant~~ applications and recommend to the council the applicants
469 to which grants may ~~should~~ be awarded. ~~The panels shall submit~~
470 ~~lists of eligible applicants by score. The division shall adopt~~
471 ~~rules establishing a formula for such scoring.~~

472 ~~(5)(2)~~ The council ~~and each panel~~ shall provide a forum for
473 public comment before voting on any grant application.

474 ~~(6)(3)~~ After the council reviews the recommended lists of
475 ~~eligible~~ applicants ~~submitted by each review panel~~, it shall
476 develop a list of recommended arts and culture grants ~~two lists,~~
477 ~~one of which must consist of eligible applicants for general~~
478 ~~program support funding and one of which must consist of~~
479 ~~eligible applicants for specific cultural project funding,~~ and
480 submit the list ~~lists~~ to the secretary. The secretary may review
481 and provide comments to the Legislature concerning the
482 recommended applicants. Funds awarded under this section must be
483 expended in compliance with all federal, state, and local laws
484 and regulations and used only for activities and programs that
485 are not harmful to minors. The secretary shall submit the
486 recommended list to the Legislature annually for funding
487 consideration ~~shall review the council's recommendations and,~~
488 ~~beginning July 1, 2010, include the lists of approved applicants~~
489 ~~in the department's legislative budget request submitted to the~~
490 ~~Legislature.~~

491 ~~(7)(4)~~ Arts and cultural Project grants shall be funded
492 from the secretary's submitted approved list ~~by score~~ until all
493 appropriated funds are depleted. If ~~specific project~~ grant funds

585-03150-25

20251524c1

are returned to the division, it must ~~shall~~ award such funds to the next grant applicant on the secretary's list of ~~approved~~ applicants. ~~General program support grants shall be awarded to applicants on the secretary's list in amounts determined by rule.~~

(8)~~(5)~~ The division shall administer awarded grants fund:

(a) To supplement the financial support of artistic and cultural activities and programs that, without the assistance, may otherwise be unavailable to Florida residents ~~Grants for general program support for science museums, youth and children's museums, historical museums, local arts agencies, state service organizations, and organizations that have cultural program activities in any of the art and cultural disciplines defined in s. 265.283.~~

(b) To activities and programs that have substantial artistic and cultural significance and emphasize creativity and professional excellence ~~Grants for specific cultural projects for arts in education, museums, Culture Builds Florida, or nonprofit public or private organizations having cultural project activity in any of the art and cultural disciplines.~~

(c) To activities and programs that meet the professional standards or standards of authenticity of significant merit, regardless of origin ~~Grants for a touring program that has a selection procedure that ensures the maximum opportunity for Florida artists and cultural groups.~~

(d) To activities and programs that are not harmful to minors ~~An individual artist fellowship program. The division shall establish a selection procedure that identifies individual artists of exceptional talent and demonstrated ability and~~

585-03150-25

20251524c1

~~distribute grant appropriations as provided by rule.~~

(e) To other programs consistent with the purpose of this act.

~~(9)(6)~~ The division may ~~shall~~ adopt rules establishing:

(a) Eligibility criteria for the award of grants, which may include, but need not be limited to, application requirements, allowable and nonallowable costs, program quality, artistic quality, creativity, potential public exposure and benefit, the ability to properly administer grant funds, professional excellence, fiscal stability, state or regional impact and economic development, matching requirements, and other requirements to further the purposes of this act.

(b) Particular grant programs, categories of grants, and procedures necessary for the prudent administration of the grant programs.

(c) The ~~panel~~ review process, including, but not limited to, criteria for reviewing grant applications to identify whether there is ~~ensure~~ compliance with applicable federal and state law, including those related to discrimination and conflicts of interest and whether the activities and programs are harmful to minors. The division may not award any new grant that will, in whole or in part, inure to the personal benefit of any council ~~or review panel~~ member during the member's term of office or reviewer if the council ~~or panel~~ member or reviewer participated in the vote of the council or reviewer ~~panel~~ recommending the award. This paragraph does not prohibit the division from awarding a grant to an entity with which a council ~~or panel~~ member or reviewer is associated.

~~(7) The division shall award grants:~~

585-03150-25

20251524c1

~~(a) To supplement the financial support of artistic and cultural activities and programs that, without the assistance, may otherwise be unavailable to Florida residents.~~

~~(b) To activities and programs that have substantial artistic and cultural significance and emphasize creativity and professional excellence.~~

~~(c) To activities and programs that meet the professional standards or standards of authenticity of significant merit, regardless of origin.~~

~~(d) For other reasons consistent with this act.~~

~~(8) Eligible grantees must:~~

~~(a) Be a nonprofit, tax-exempt Florida corporation; or~~

~~(b) A local or state governmental entity, school district, community college, college, university, agency of state government, or artist engaged in or concerned with arts and cultural activities.~~

~~(10)~~ (9) In order to equitably distribute limited state funding, applicants may apply for and be awarded only one grant per annual grant cycle, except for cultural facilities, ~~a cultural endowment, or touring program grants and individual artist fellowships.~~

~~(11)~~ (10) Of the total amount of grant funds available from all sources for grants, except cultural facilities ~~and cultural endowments~~, 70 percent shall be awarded on at least a dollar-to-dollar matching basis. Up to 50 percent of the grantee's match may consist of in-kind funds. Up to 30 percent of all grant funds may be awarded on a nonmatching basis, ~~including individual fellowships.~~

(12) An applicant seeking a recommendation from a reviewer

585-03150-25

20251524c1

for grant funding may not have a substantial interest as set forth in s. 120.569 in any of its requested recommendations.

~~(13)(11)~~ The division may ~~shall~~ adopt rules to administer and implement this section.

(14) Effective upon this act becoming a law, the secretary shall request, and the council shall submit, an updated list of activities and programs that comply with the requirements of this section. After reviewing and making comments, the secretary shall submit a recommended list to the Legislature for funding consideration in the General Appropriations Act for fiscal year 2025-2026. This subsection expires July 1, 2026.

(15) The council and the secretary may provide a separate list for activities and programs that support America250 and celebrate the 250th anniversary of the signing of the Declaration of Independence on July 4, 1776. This subsection applies only if the date this act becomes law occurs before the Legislature passes the General Appropriations Act for fiscal year 2025-2026. This subsection expires July 4, 2026.

Section 19. Subsections (3), (4), and (7) of section 265.2865, Florida Statutes, are amended to read:

265.2865 Florida Artists Hall of Fame.—

(3) The Florida Council on Arts and Culture may ~~shall~~ accept nominations annually for persons to be recommended as members of the Florida Artists Hall of Fame. The council may ~~shall~~ recommend to the Secretary of State persons to be named as members of the Florida Artists Hall of Fame. The council's ~~recommended council shall recommend as~~ members to ~~of~~ the Florida Artists Hall of Fame must be persons who were born in Florida or adopted Florida as their home state and base of operation and

585-03150-25

20251524c1

who have made a significant contribution to the enhancement of the arts in this state.

(4) The Secretary of State shall name no more than three ~~four~~ members to the Florida Artists Hall of Fame in any one nomination year.

(7) The Secretary of State may ~~shall~~ annually request an appropriation sufficient to carry out the purposes of this section.

Section 20. Subsections (1), (2), and (3) of section 265.701, Florida Statutes, are amended, and subsections (6) and (7) are added to that section, to read:

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

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

(2) A county, municipality, or qualified corporation may apply for a grant of state funds for the ~~acquisition,~~ renovation, or construction of a cultural facility. For the purposes of this section, a "qualified corporation" is a corporation which is designated a not-for-profit corporation pursuant to s. 501(c)(3) or (4) of the Internal Revenue Code of 1954, and which is described in, and allowed to receive contributions pursuant to the provisions of, s. 170 of the Internal Revenue Code of 1954, and which is a corporation not for profit incorporated pursuant to chapter 617. The state grant must be matched by a contribution from the county, municipality,

585-03150-25

20251524c1

or nonprofit corporation in an amount to be determined by the Department of State.

(3) The Florida Council on Arts and Culture shall review each application for a grant to ~~acquire~~, renovate, or construct a cultural facility which is submitted pursuant to subsection (2) and shall submit annually to the Secretary of State for approval lists of all applications that are recommended by the council for the award of grants, arranged in order of priority. The secretary may review and provide comments to the Legislature concerning the recommended applicants. Funds awarded under this section must be expended in compliance with all federal, state, and local laws and regulations and used only for activities and programs that are not harmful to minors. The secretary shall submit the recommended list to the Legislature for funding consideration. For purposes of this subsection, the term "harmful to minors" means any reproduction, imitation, characterization, description, exhibition, presentation, or representation, in any manner or form, depicting sexual conduct or sexual excitement as those terms are defined in s. 847.001. The division may allocate grants only for projects that are approved or for which funds are appropriated by the Legislature. ~~Projects approved and recommended by the Secretary of State which are not funded by the Legislature shall be retained on the project list for the following grant cycle only. All projects that are retained shall be required to submit such information as may be required by the department as of the established deadline date of the latest grant cycle in order to adequately reflect the most current status of the project.~~

(6) Effective upon this act becoming a law, the secretary

585-03150-25

20251524c1

shall request, and the council shall submit, an updated list of projects that comply with the requirements of this section. After reviewing and making comments, the secretary shall submit the recommended list to the Legislature for funding consideration in the General Appropriations Act for fiscal year 2025-2026. This subsection expires July 1, 2026.

(7) The council and the secretary may provide a separate list for activities and programs that support America250 and celebrate the 250th anniversary of the signing of the Declaration of Independence on July 4, 1776. This subsection applies only if the date this act becomes law occurs before the Legislature passes the General Appropriations Act for fiscal year 2025-2026. This subsection expires July 4, 2026.

Section 21. Subsection (1) of section 265.703, Florida Statutes, is amended to read:

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

(1) CITIZEN SUPPORT ORGANIZATIONS.—The division may support the establishment of citizen support organizations to provide assistance, funding, and promotional support for the cultural, arts, historical, ~~and~~ museum, and international and intergovernmental programs of the division. For the purposes of this section, a "citizen support organization" means an organization which is:

(a) A Florida corporation not for profit incorporated under the provisions of chapter 617 and approved by the Department of State.

(b) Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and

585-03150-25

20251524c1

697 bequests of money; acquire, receive, hold, invest, and
698 administer, in its own name, securities, funds, objects of
699 value, or other property, real or personal; and make
700 expenditures to or for the direct or indirect benefit of the
701 division, ~~or~~ individual program units, or international and
702 intergovernmental programs of the division.

703 (c) Determined by the division to be consistent with the
704 goals of the division and in the best interests of the state.

705 (d) Approved in writing by the division to operate for the
706 direct or indirect benefit of the division. Such approval shall
707 be given in a letter of agreement from the division.

708 Section 22. Paragraph (a) of subsection (1) of section
709 265.803, Florida Statutes, is amended to read:

710 265.803 Florida Folklife Council.—

711 (1)(a) The Florida Folklife Council is created as a sub-
712 council within part of the Florida Council on Arts and Culture
713 created by s. 265.285 Department of State, to be composed of
714 ~~consist~~ of seven members appointed by the Secretary of State
715 from the membership of the Florida Council on Arts and Culture.
716 The Secretary of State shall appoint each member for a 4-year
717 term and shall appoint a successor for each member within 90
718 days after the expiration of the member's term. The Secretary of
719 State shall fill any vacancy for the remainder of the unexpired
720 term within 90 days after the vacancy occurs. Members shall be
721 appointed to provide geographical, cultural, traditional ~~ethnic~~,
722 and professional representation on the council.

723 Section 23. Paragraph (c) of subsection (6) of section
724 267.0612, Florida Statutes, is amended to read:

725 267.0612 Florida Historical Commission; creation;

585-03150-25

20251524c1

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

(6) It shall be the responsibility of the commission to provide assistance, advice, and recommendations to the division in:

(c) Evaluating proposals for awards of special category historic preservation grants-in-aid administered by the division. Pursuant thereto, the commission shall review and evaluate proposals for special category grants and shall make recommendations, including a priority ranking, reflecting such evaluation. In making such evaluation and recommendations, the commission shall, at a minimum, consider the purpose, economic and other public benefit, location, compatibility with statewide historic preservation priorities, and cost of each proposal for special category grant assistance. Special category historic preservation grants-in-aid recommendations of the commission shall be reviewed by the Secretary of State as provided in s. 267.0617.

Section 24. Subsections (2) and (3) of section 267.0617, Florida Statutes, are amended to read:

267.0617 Historic Preservation Grant Program.—

(2) The division is authorized to conduct and carry out a

585-03150-25

20251524c1

755 program of historic preservation grants-in-aid, including
756 matching grants, to any department or agency of the state; any
757 unit of county, municipal, or other local government; any
758 corporation, partnership, or other organization, whether public
759 or private or whether or not for profit; or any individual for
760 projects having as their purpose the identification,
761 acquisition, protection, preservation, rehabilitation,
762 restoration, or construction of historic sites and properties,
763 or Florida history, or the planning of such activities. Funds
764 appropriated from general revenue for the historic preservation
765 grants-in-aid program shall not be provided for a project owned
766 by private individuals or owned by for-profit corporations. ~~All~~
767 ~~moneys received from any source as appropriations, deposits, or~~
768 ~~contributions to this program shall be paid and credited to the~~
769 ~~Historical Resources Operating Trust Fund.~~

770 (3) All grants of state funds to assist in the preservation
771 of historic properties ~~shall be made from the Historical~~
772 ~~Resources Operating Trust Fund and~~ may be awarded only pursuant
773 to applications for such assistance made to the Division of
774 Historical Resources. The Florida Historical Commission shall
775 review each application for a special category historic
776 preservation grant-in-aid. ~~Special category historic~~
777 ~~preservation grants-in-aid are those reviewed and recommended by~~
778 ~~the Secretary of State for submission for legislative funding~~
779 ~~consideration.~~ Grant review panels appointed by the Secretary of
780 State and chaired by a member of the Florida Historical
781 Commission or a designee appointed by the commission's presiding
782 officer shall review each application for other historic
783 preservation grants-in-aid. Each ~~The~~ reviewing body shall submit

585-03150-25

20251524c1

annually to the Secretary of State ~~for approval~~ lists of all
historic preservation grant-in-aid applications that are
recommended by the reviewing body for the award of grants,
arranged in order of priority. The Secretary of State may review
and provide comments to the Legislature concerning the
recommended applicants. Funds awarded under this section must be
expended in compliance with all federal, state, and local laws
and regulations and used only for activities and programs that
are not harmful to minors. The Secretary shall submit the
recommended lists to the Legislature for funding consideration.
For purposes of this subsection, the term "harmful to minors"
means any reproduction, imitation, characterization,
description, exhibition, presentation, or representation, in any
manner or form, depicting sexual conduct or sexual excitement as
those terms are defined in s. 847.001.

Section 25. Section 267.0722, Florida Statutes, is
repealed.

Section 26. Section 267.075, Florida Statutes, is amended
to read:

267.075 The Grove; management; stewardship ~~Advisory
Council; creation; membership; purposes.-~~

(1) The Call/Collins House, commonly known as "The Grove,"
located in Tallahassee, Leon County, shall be utilized as a
house museum of history for the educational benefit of the
citizens of this state. The utilization of The Grove as a museum
of history shall emphasize the lives and accomplishments of The
Grove's first owner, Richard Keith Call, Florida's last
Territorial Governor, and LeRoy Collins, Florida's 33rd
Governor, who, with his wife, Mary Call Darby Collins, were the

585-03150-25

20251524c1

813 last owners of The Grove. The faithful restoration and
814 maintenance of The Grove undertaken by LeRoy Collins and Mary
815 Call Darby Collins during the nearly six decades of Collins
816 family ownership and stewardship which has preserved the
817 original plan of construction and design of The Grove shall be
818 continued as provided for in this section.

819 ~~(2) There is created within the Department of State The~~
820 ~~Grove Advisory Council for the purpose of advising the Division~~
821 ~~of Historical Resources on the operation, maintenance,~~
822 ~~preservation, and protection of the Call/Collins House, commonly~~
823 ~~known as "The Grove," its grounds, cemetery, and all structures~~
824 ~~thereon; the furniture and furnishings located therein; any~~
825 ~~changes in the architecture, structure, furnishings, or~~
826 ~~landscaping deemed necessary or desirable by the council; and~~
827 ~~the design and development of interpretive programs and exhibits~~
828 ~~in connection therewith.~~

829 ~~(3)(a) The Grove Advisory Council shall be composed of~~
830 ~~eight members, as follows:~~

831 ~~1. Five members shall be private citizens appointed by the~~
832 ~~Secretary of State.~~

833 ~~2. One member shall be the Secretary of Management Services~~
834 ~~or his or her designee.~~

835 ~~3. One member shall be the director of the Division of~~
836 ~~Historical Resources of the Department of State.~~

837 ~~4. At least one member shall be a direct descendant of Mary~~
838 ~~Call Darby Collins appointed by the Secretary of State with the~~
839 ~~advice of the oldest living generation of lineal descendants of~~
840 ~~Mary Call Darby Collins.~~

585-03150-25

20251524c1

~~Of the citizen members, at least one member shall have professional curatorial and museum expertise, one member shall have professional architectural expertise in the preservation of historic buildings, and one member shall have professional landscape expertise. The five citizen members of the council appointed by the Secretary of State and the member of the council who is a direct descendant of Mary Call Darby Collins appointed by the Secretary of State shall be appointed for staggered 4 year terms. The Secretary of State shall fill the remainder of unexpired terms for the five citizen members of the council and the member of the council who is a direct descendant of Mary Call Darby Collins.~~

~~(b) The council shall annually elect a chair from among the five citizen members of the council appointed by the Secretary of State and the member of the council who is a direct descendant of Mary Call Darby Collins appointed by the Secretary of State. The chair shall serve for a term of 1 year. Meetings of the council shall be held at the call of the chair, at the request of a majority of its membership, at the request of the Secretary of State, or at such times as may be prescribed by rules of the council. The council shall meet at least twice annually. A majority of the council shall constitute a quorum for the transaction of business.~~

~~(c) The council shall obtain clerical, expert, technical, or other services from the Division of Historical Resources. The Department of Management Services shall provide reasonable assistance to the Department of State in carrying out the purposes of this section.~~

~~(d) Members of the council shall serve without compensation~~

585-03150-25

20251524c1

~~or honorarium but shall be entitled to receive reimbursement for per diem and travel expenses as provided in s. 112.061. All expenses of the council shall be paid from appropriations to be made by the Legislature to the Department of State. All vouchers shall be approved by the Division of Historical Resources before being submitted to the Chief Financial Officer for payment.~~

(2)~~(4)~~ (a) The Division of Historical Resources, ~~with the advice and assistance of the council,~~ shall maintain the structure, style, character, and landscaping of The Grove, its grounds, its private family cemetery, and all structures thereon consistent with the character, plan, and design of The Grove at the time the state takes physical possession of The Grove and its surrounding property from Mary Call Darby Collins. It shall preserve and protect the antique furnishings and other articles of furniture, fixtures, and decorative objects and articles used or displayed in the premises.

(b) The Division of Historical Resources shall catalog and maintain a descriptive, photographic inventory of the furnishings, fixtures, and decorative objects and articles used or displayed in the premises.

(c) The Division of Historical Resources may receive, on behalf of the state, contributions, bequests, and gifts of money, furniture, works of art, memorabilia, or other property consistent with the use of The Grove as described in this section. Title to all property which is received in this manner shall vest in the state and shall be held in trust by the Division of Historical Resources solely to further the purposes of this section. No furniture, furnishings, fixtures, or decorative objects acquired from the Collins family or any of

585-03150-25

20251524c1

its members shall be used for any purpose except as a permanent part of The Grove's furniture, furnishings, fixtures, or decorative objects, and any such item not so utilized shall forthwith revert to the Collins family member or members from whom it was acquired. ~~No gifts, contributions, or bequests shall be accepted for The Grove without the advice and recommendation of the council.~~

Section 27. Subsection (2) of section 267.21, Florida Statutes, is amended to read:

267.21 Historic Cemeteries Program.—

(2) (a) The Historic Cemeteries Program shall, subject to legislative appropriation, provide grants to the following entities:

1.(a) Research institutions, colleges and universities, and qualified nonprofit organizations, for the purpose of conducting genealogical and historical research necessary to identify and contact the relatives and descendants of persons buried in abandoned African-American cemeteries.

2.(b) Local governments and qualified nonprofit organizations, for the purposes of repairing, restoring, and maintaining abandoned African-American cemeteries.

(b) All grants of state funds to assist abandoned African-American cemeteries may be awarded only pursuant to applications for such assistance made to the division. The Florida Historic Cemeteries Program Advisory Council shall review each application for an abandoned African-American cemeteries grant made under this section. The council shall submit annually to the Secretary of State a list of all abandoned African-American cemeteries applications that it recommends for the award of

585-03150-25

20251524c1

929 grants, arranged in order of priority. The Secretary of State
930 may review and provide comments to the Legislature concerning
931 the recommended applicants. Funds awarded under this section
932 must be expended in compliance with all federal, state, and
933 local laws and regulations and used only for activities and
934 programs that are not harmful to minors. The Secretary of State
935 shall submit a recommended list to the Legislature for funding
936 consideration. For purposes of this paragraph, the term "harmful
937 to minors" means any reproduction, imitation, characterization,
938 description, exhibition, presentation, or representation, in any
939 manner or form, depicting sexual conduct or sexual excitement as
940 those terms are defined in s. 847.001.

941 Section 28. Subsections (1) and (2) of section 267.22,
942 Florida Statutes, are amended to read:

943 267.22 Historic Cemeteries Program Advisory Council.—

944 (1) The Historic Cemeteries Program Advisory Council, an
945 advisory council as defined in s. 20.03(7), is created as a sub-
946 council within the Florida Historical Commission created by s.
947 267.0612 ~~division~~ and shall be composed ~~consist~~ of at least five
948 but no more than nine members appointed by the Florida
949 Historical Commission ~~Secretary of State~~ after considering the
950 recommendations of the director of the division. The council
951 must be composed of an inclusive group of members who are
952 regionally distributed and representative of communities
953 throughout this state and may include members of the Florida
954 Historical Commission. Members in place on July 1, 2025, may
955 serve for the remainder of their respective terms. New
956 appointments to the council may not be made until the
957 retirement, resignation, removal, or expiration of the terms of

585-03150-25

20251524c1

the initial members results in fewer than five members
remaining. ~~Members shall serve 4-year terms; however, for the~~
~~purpose of providing staggered terms, four of the appointees~~
~~initially shall be appointed to 2-year terms and the remaining~~
~~five shall be appointed to 4-year terms.~~ All new subsequent
appointments shall be for 2-year ~~4-year~~ terms. Annually ~~As soon~~
~~as practicable after July 1, 2023,~~ the council shall ~~meet to~~
elect a chair from its membership. Except as otherwise provided
in this section, the council shall operate in a manner
consistent with s. 20.052.

(2) The council shall provide guidance and recommendations
to the division and the Florida Historical Commission regarding
the duties and responsibilities of the Historic Cemeteries
Program created under s. 267.21. The council must also evaluate
proposals for awards of abandoned African-American cemeteries
grants, as authorized by s. 267.21(2). Pursuant thereto, the
council must review and evaluate proposals for abandoned
African-American cemeteries grants and make recommendations to
the Secretary of State, including providing a priority ranking,
reflecting the evaluation. In making its evaluation and
recommendations, the council shall, at a minimum, consider the
purpose, public benefit, location, and cost of each proposal for
grant assistance. Abandoned African-American cemeteries grants
recommendations of the council shall be reviewed by the
Secretary of State in accordance with s. 267.21(2).

Section 29. This act shall take effect upon becoming a law.