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1
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"; amending s. 20.10, F.S.; renaming
8 the Division of Cultural Affairs as the Division of
9 Arts and Culture; amending ss. 265.281, 265.283,
10 265.286, 265.2865, and 265.701, F.S.; conforming
11 provisions and cross-references to changes made by the
12 act; repealing s. 265.7025, F.S., relating to
13 definitions relating to historic programs; amending s.
14 265.703, F.S.; conforming provisions to changes made
15 by the act; repealing ss. 265.704, 265.705, 265.706,
16 and 265.709, F.S., relating to historical museums and
17 powers and duties of the Division of Cultural Affairs,
18 state policy relative to historical properties,
19 objects of historical or archaeological value, and
20 publications, respectively; amending s. 267.021, F.S.;
21 defining the term "historical museum"; amending s.
22 267.071, F.S.; revising the duties of the Division of
23 Historical Resources; transferring, renumbering, and
24 amending s. 265.707, F.S.; transferring certain
25 responsibilities from the Division of Cultural Affairs

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26 to the Division of Historical Resources; revising
 27 provisions relating to the Museum of Florida History
 28 museum store, the establishment and operation of a
 29 certain nonprofit organization or association, and the
 30 deposit of certain funds; transferring, renumbering,
 31 and amending s. 265.565, F.S.; defining the term
 32 "abandoned property"; removing the requirement that a
 33 museum inform a lender of certain provisions in
 34 certain circumstances; revising publication
 35 requirements for a termination of loan notice;
 36 providing for the disposition of abandoned property;
 37 amending s. 267.115, F.S.; revising responsibilities
 38 of the Division of Historical Resources relating to
 39 objects of historical or archaeological value;
 40 transferring and renumbering ss. 267.16 and 267.161,
 41 F.S.; amending ss. 258.081, 468.401, and 553.902,
 42 F.S.; conforming provisions and cross-references to
 43 changes made by the act; amending chapter 2020-88,
 44 Laws of Florida; conforming a provision to changes
 45 made by the act; providing an effective date.

46
 47 Be It Enacted by the Legislature of the State of Florida:

48
 49 Section 1. Section 15.0455, Florida Statutes, is created
 50 to read:

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51 15.0455 Official state history museum.—The Museum of
52 Florida History, located in Tallahassee, is hereby designated as
53 the official state history museum.

54 Section 2. Section 15.18, Florida Statutes, is amended to
55 read:

56 15.18 International and cultural relations.—The Divisions
57 of Arts and Culture ~~Cultural Affairs~~, Historical Resources, and
58 Library and Information Services of the Department of State
59 promote programs having substantial cultural, artistic, and
60 indirect economic significance that emphasize American
61 creativity. The Secretary of State, as the head administrator of
62 these divisions, shall hereafter be known as "Florida's Chief
63 Arts and Culture ~~Cultural~~ Officer." As this officer, the
64 Secretary of State is encouraged to initiate and develop
65 relationships between the state and foreign cultural officers,
66 their representatives, and other foreign governmental officials
67 in order to promote Florida as the center of American
68 creativity. The Secretary of State shall coordinate
69 international activities pursuant to this section with
70 Enterprise Florida, Inc., and any other organization the
71 secretary deems appropriate. For the accomplishment of this
72 purpose, the Secretary of State shall have the power and
73 authority to:

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

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76 (2) Plan and carry out activities designed to cause
 77 improved cultural and governmental programs and exchanges with
 78 foreign countries.

79 (3) Plan and implement cultural and social activities for
 80 visiting foreign heads of state, diplomats, dignitaries, and
 81 exchange groups.

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

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

88 (6) Provide, arrange, and make expenditures for the
 89 achievement of any or all of the purposes specified in this
 90 section.

91 Section 3. Paragraph (e) of subsection (2) of section
 92 20.10, Florida Statutes, is amended to read:

93 20.10 Department of State.—There is created a Department
 94 of State.

95 (2) The following divisions of the Department of State are
 96 established:

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

98 Section 4. Section 265.281, Florida Statutes, is amended
 99 to read:

100 265.281 Florida Arts and Culture Act; short title.—

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101 Sections 265.281-265.703 ~~Sections 265.281-265.709~~ may be cited
 102 as the "Florida Arts and Culture Act."

103 Section 5. Section 265.283, Florida Statutes, is amended
 104 to read:

105 265.283 Definitions.—The following definitions shall apply
 106 to ss. 265.281-265.703 ~~ss. 265.281-265.709~~:

107 (1)~~(7)~~ "Arts and cultural disciplines" include, but are
 108 not limited to, music, dance, theatre, creative writing,
 109 literature, architecture, painting, sculpture, folk arts,
 110 photography, crafts, media arts, visual arts, programs of
 111 museums, and other such allied, major art forms.

112 (2)~~(13)~~ "Arts in education grants" means grants used to
 113 cultivate the learning and artistic development of all students
 114 and teachers by promoting, encouraging, and supporting arts and
 115 culture as an integral part of education and lifelong learning
 116 for residents and visitors.

117 (3)~~(1)~~ "Council" means the Florida Council on Arts and
 118 Culture.

119 (4)~~(14)~~ "Cultural support grants" means grants that
 120 provide support for general programs and specific cultural
 121 projects.

122 (5)~~(17)~~ "Culture Builds Florida grants" means grants used
 123 for the purpose of connecting the arts to key areas of the
 124 division's long-term strategic plan.

125 (6)~~(2)~~ "Department" means the Department of State.

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126 ~~(7)-(3)~~ "Director" means the Director of the Division of
 127 Arts and Culture ~~Cultural Affairs~~ of the Department of State.

128 ~~(8)-(4)~~ "Division" means the Division of Arts and Culture
 129 ~~Cultural Affairs~~ of the Department of State.

130 (9) "Folklife" means the traditional expressive culture
 131 shared within the various groups in Florida: familial, ethnic,
 132 occupational, religious, and regional. Expressive culture
 133 includes a wide range of creative and symbolic forms such as
 134 custom, belief, technical skill, language, literature, art,
 135 architecture, music, play, dance, drama, ritual, pageantry, and
 136 handicraft, which forms are generally learned orally, by
 137 imitation, or in performance and are maintained or perpetuated
 138 without formal instruction or institutional direction.

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

145 ~~(11)-(8)~~ "Local arts agency" means a public or private
 146 nonprofit organization located in Florida and operating on a
 147 permanent basis for the primary purpose of strengthening,
 148 supporting, and stabilizing the activities of one or more county
 149 art and cultural constituencies.

150 ~~(12)-(5)~~ "Panel" means a grant review panel.

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151 (13)~~(10)~~ "Science museum" means a public or private
 152 nonprofit organization located in Florida and operating on a
 153 permanent basis for the primary purpose of sponsoring,
 154 producing, and exhibiting programs for the observation and study
 155 of various types of natural science and science technology.

156 (14)~~(6)~~ "Secretary" means the Secretary of State.

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

163 (16)~~(15)~~ "State touring program grants" means grants used
 164 to provide performances, activities, and exhibitions by Florida
 165 artists to communities.

166 (17)~~(16)~~ "Underserved arts community assistance program
 167 grants" means grants used by qualified organizations under the
 168 Rural Economic Development Initiative, pursuant to ss. 288.0656
 169 and 288.06561, for the purpose of economic and organizational
 170 development for underserved cultural organizations.

171 (18)~~(11)~~ "Youth and children's museum" means a public or
 172 private nonprofit organization located in Florida and operating
 173 on a permanent basis for the primary purpose of sponsoring,
 174 producing, and exhibiting multidisciplinary and participatory
 175 programs for visitors who are 6 months to 15 years old, and

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176 | their families, teachers, and caregivers.

177 | Section 6. Paragraph (a) of subsection (5) of section
178 | 265.286, Florida Statutes, is amended to read:

179 | 265.286 Art and cultural grants.—

180 | (5) The division shall fund:

181 | (a) Grants for general program support for science
182 | museums, youth and children's museums, historical museums, local
183 | arts agencies, state service organizations, and organizations
184 | that have cultural program activities in any of the art and
185 | cultural disciplines defined in s. 265.283 ~~s. 265.283(7)~~.

186 | Section 7. Subsection (6) of section 265.2865, Florida
187 | Statutes, is amended to read:

188 | 265.2865 Florida Artists Hall of Fame.—

189 | (6) The Division of Arts and Culture ~~Cultural Affairs~~ of
190 | the Department of State shall adopt rules necessary to carry out
191 | the purposes of this section, including, but not limited to,
192 | procedures for accepting nominations to, making recommendations
193 | for, selecting members of the Florida Artists Hall of Fame, and
194 | providing travel expenses for such recipients. Notwithstanding
195 | ~~the provisions of~~ s. 112.061, the Secretary of State may approve
196 | first-class travel accommodations for recipients of the Florida
197 | Artists Hall of Fame award and their representatives for health
198 | or security purposes.

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

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201 265.701 Cultural facilities; grants for acquisition,
 202 renovation, or construction; funding; approval; allocation.—

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

208 (5) The Division of Arts and Culture ~~Cultural Affairs~~
 209 shall adopt rules prescribing the criteria to be applied by the
 210 Florida Council on Arts and Culture in recommending applications
 211 for the award of grants and rules providing for the
 212 administration of ~~the other provisions of~~ this section.

213 Section 9. Section 265.7025, Florida Statutes, is
 214 repealed.

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

217 265.703 Citizen support organizations; use of state
 218 administrative services and property; audit.—

219 (3) ANNUAL AUDIT.—The citizen support organization shall
 220 provide for an annual financial audit in accordance with s.
 221 215.981. ~~Information of the Museum of Florida History citizen~~
 222 ~~support organization which is confidential and exempt pursuant~~
 223 ~~to s. 267.17 shall retain its confidential and exempt status.~~

224 Section 11. Sections 265.704, 265.705, 265.706, and
 225 265.709, Florida Statutes, are repealed.

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226 Section 12. Section 267.021, Florida Statutes, is amended
 227 to read:

228 267.021 Definitions.—For the purpose of this act, the
 229 term:

230 (1)~~(2)~~ "Agency" means any state, county, or municipal
 231 officer, department, division, board, bureau, commission, or
 232 other separate unit of government created or established by law.

233 (2)~~(1)~~ "Division" means the Division of Historical
 234 Resources of the Department of State.

235 (3)~~(7)~~ "Florida history museum" means a public or private
 236 nonprofit institution which is established permanently in this
 237 state for the purpose of promoting and encouraging knowledge and
 238 appreciation of Florida history through the collection,
 239 preservation, exhibition, and interpretation of artifacts and
 240 other historical properties related to Florida history and the
 241 primary role of which is to collect and care for artifacts and
 242 other objects of intrinsic historical or archaeological value
 243 and exhibit them regularly through a facility or facilities
 244 owned or operated by the institution.

245 (4)~~(3)~~ "Historic property" or "historic resource" means
 246 any prehistoric or historic district, site, building, object, or
 247 other real or personal property of historical, architectural, or
 248 archaeological value, and folklife resources. These properties
 249 or resources may include, but are not limited to, monuments,
 250 memorials, Indian habitations, ceremonial sites, abandoned

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251 settlements, sunken or abandoned ships, engineering works,
 252 treasure trove, artifacts, or other objects with intrinsic
 253 historical or archaeological value, or any part thereof,
 254 relating to the history, government, and culture of the state.

255 (5) "Historical museum" means a department or agency of
 256 state or local government or a public or private nonprofit
 257 organization located in Florida and operating on a permanent
 258 basis for the primary purpose of sponsoring, producing, and
 259 exhibiting educational programs that are related to the
 260 historical resources of Florida.

261 (6)-(5) "National Register of Historic Places" means the
 262 list of historic properties significant in American history,
 263 architecture, archaeology, engineering, and culture, maintained
 264 by the Secretary of the Interior, as established by the National
 265 Historic Preservation Act of 1966, as amended.

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

275 (7)-(8) "Official Florida Historical Marker" means any

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276 marker, plaque, or similar device awarded, approved, or
 277 administered by the Division of Historical Resources for the
 278 purpose of recognizing and informing the general public about
 279 historic properties, persons, events, and other topics relating
 280 to the history and culture of the state.

281 (8)~~(4)~~ "Preservation" or "historic preservation" means the
 282 identification, evaluation, recordation, documentation,
 283 analysis, recovery, interpretation, curation, acquisition,
 284 protection, management, rehabilitation, restoration,
 285 stabilization, maintenance, or reconstruction of historic
 286 properties.

287 Section 13. Subsection (2) of section 267.071, Florida
 288 Statutes, is amended, and subsection (4) is added to that
 289 section, to read:

290 267.071 Historical museums.—It is the duty of the division
 291 to:

292 (2) Encourage, promote, maintain, and operate historical
 293 museums, including the Museum of Florida History, ~~but not~~
 294 ~~limited to~~, mobile museums, and other Florida history junior
 295 museums.

296 (4) (a) Establish professional standards for the
 297 preservation, exclusive of acquisition, of each of the
 298 collections under state ownership or control.

299 (b) Take such other actions as are necessary or
 300 appropriate to locate, acquire, preserve, operate, interpret,

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301 and promote the location, acquisition, protection, preservation,
302 operation, and interpretation of historical artifacts and
303 resources to foster an appreciation of Florida history and
304 culture.

305 Section 14. Section 265.707, Florida Statutes, is
306 transferred, renumbered as section 267.0721, Florida Statutes,
307 and amended to read:

308 267.0721 ~~265.707~~ Museum of Florida History and programs;
309 other historical museums.—

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

312 (2) The division shall establish and administer a museum
313 store for ~~in~~ the Museum of Florida History to provide
314 information and materials relating to Florida history, museum
315 exhibits, collections, and programs to the public and may
316 operate additional stores associated with the museum. The stores
317 ~~store~~ may produce, acquire, and sell craft products, clearly
318 marked replicas and reproductions of artifacts, documents, and
319 other merchandise relating to historical and cultural resources
320 and may make a reasonable charge for such merchandise. All
321 proceeds received from sales must be deposited into the Grants
322 and Donations Trust Fund, or funds in excess of the amount
323 required to pay employees involved in the direct management of
324 the museum store may be deposited into a bank account of a ~~the~~
325 citizen support organization created pursuant to s. 267.17, or

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326 | created before July 1, 2021, pursuant to s. 265.703, and may be
327 | used only to support operations of the museum stores and the
328 | programs of the Museum of Florida History or other museums
329 | operated by the division. The museum stores ~~store~~ may enter into
330 | agreements and accept credit card ~~credit-card~~ payments as
331 | compensation for goods and products sold. The division may
332 | establish accounts in credit card ~~credit-card~~ banks for the
333 | deposit of credit card ~~credit-card~~ sales invoices and to pay
334 | discounts and service charges in connection with the use of
335 | credit cards.

336 | (3) The division shall support the establishment and
337 | operation of a nonprofit organization or association established
338 | pursuant to s. 267.17, or established before July 1, 2021,
339 | pursuant to s. 265.703, to promote and encourage knowledge and
340 | appreciation of Florida history and the programs of the Museum
341 | of Florida History and other museums operated by the division
342 | and to cooperate with historical societies and other
343 | organizations to provide funding and promotional support for the
344 | programs of the museum. Such organization or association may,
345 | with the consent of the division, operate the museum store or
346 | conduct special events and programs in the museum. All proceeds
347 | must be used to support the programs of the Museum of Florida
348 | History and other museums operated by the division.

349 | (4) The division shall deposit grant funding, gifts, and
350 | donations for the purpose of assisting the Museum of Florida

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351 History and its programs in the Grants and Donations Trust Fund
 352 to be used exclusively for the benefit of programs of the museum
 353 and in a manner consistent with any terms or conditions agreed
 354 to by the division in accepting such grants, gifts, and
 355 donations.

356 Section 15. Section 265.565, Florida Statutes, is
 357 transferred, renumbered as section 267.0723, Florida Statutes,
 358 and paragraphs (a) through (f) of subsection (2) are
 359 redesignated as paragraphs (b) through (g), respectively,
 360 paragraphs (a) and (b) of subsection (3) and subsections (5),
 361 (6), and (12) are amended, a new paragraph (a) is added to
 362 subsection (2), and subsection (13) is added to that section, to
 363 read:

364 267.0723 ~~265.565~~ Property loaned to or abandoned at
 365 museums; obligations to lenders; notice; loan termination;
 366 acquisition of title; liens; conservation or disposal.—

367 (2) DEFINITIONS.—

368 (a) "Abandoned property" means property left at or
 369 delivered to a museum with no loan, deed of gift, or donation
 370 paperwork.

371 (3) OBLIGATIONS OF MUSEUMS TO LENDERS.—

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

374 1. Make and retain a written record containing, at a
 375 minimum, the lender's name, address, and telephone number, a

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376 description of the property loaned in sufficient detail for
 377 clear identification, including a description of the general
 378 condition of the property at the time of the loan, the beginning
 379 date of the loan, and the expiration date of the loan.

380 2. Provide the lender with a signed receipt or loan
 381 agreement containing, at a minimum, the record set forth in
 382 subparagraph 1.

383 3. ~~Inform the lender of the existence of the provisions of~~
 384 ~~this act and~~ Provide the lender with a copy of ~~the provisions of~~
 385 this act upon the lender's request.

386 (b) Regardless of the date of a loan of property, the
 387 museum shall:

388 1. Update its records if a lender informs the museum of a
 389 change of address or change in ownership of property loaned, or
 390 if the lender and museum negotiate a change in the duration of
 391 the loan.

392 2. ~~Inform the lender of the existence of the provisions of~~
 393 ~~this act~~ When renewing or updating the records of an existing
 394 loan, and provide the lender with a copy of ~~the provisions of~~
 395 this act upon the lender's request.

396 (5) TERMINATION OF LOANS.—

397 (a) A museum may terminate a loan for unclaimed property
 398 in its possession by making a good faith and reasonable search
 399 for the identity and last known address of the lender from the
 400 museum records and other records reasonably available to museum

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401 staff. If the museum is able to identify the lender and the
402 lender's last known address, the museum shall give notice to the
403 lender that the loan is terminated pursuant to paragraph (b). If
404 the identity or last known address of the lender remains unknown
405 after a good faith and reasonable search, the museum shall give
406 notice by publication pursuant to paragraph (c).

407 (b) A museum shall provide notice of termination of a loan
408 of unclaimed property by sending a letter by certified mail to
409 the lender at the lender's last known address giving notice of
410 termination of the loan, which shall include the date of notice
411 of termination, the name of the lender, a description of the
412 property sufficient in detail for ready identification, the
413 beginning date of the loan, if known, the termination date of
414 the loan, if applicable, the name and address of the appropriate
415 museum official to be contacted regarding the loan, and a
416 statement that within 90 days of the date of the notice of
417 termination, the lender is required to remove the property from
418 the museum or contact the designated official in the museum to
419 preserve the lender's interests in the property. Failure to
420 provide such notice will result in the loss of all rights in the
421 property pursuant to subsection (6).

422 (c) If the museum is unable to identify sufficient
423 information to send notice pursuant to paragraph (b), or if a
424 signed return receipt of a notice sent by certified mail
425 pursuant to paragraph (b) is not received by the museum within

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426 30 days after the notice is mailed, the museum shall publish the
 427 notice of termination of loan containing all the information
 428 available to the museum provided in paragraph (b) on its website
 429 and at least twice, 60 or more days apart, in a publication of
 430 general physical or online circulation in the county in which
 431 the museum is located and the county of the lender's last known
 432 address, if known.

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

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

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

444 (12) LIABILITY.—If a museum applies conservation measures
 445 to or disposes of a property pursuant to subsection (11), the
 446 museum shall have a lien on the property and on the proceeds
 447 from any disposition thereof for the costs incurred by the
 448 museum, and the museum shall not be liable for injury to or loss
 449 of the property if:

450 (a) The museum had a reasonable belief at the time the

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451 action was taken that the action was necessary to protect the
 452 property on loan or other property in the custody of the museum,
 453 or that the property on loan constituted a hazard to the health
 454 and safety of the public or the museum's staff.

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

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

459 Section 16. Subsection (1) of section 267.115, Florida
 460 Statutes, is amended to read:

461 267.115 Objects of historical or archaeological value.—The
 462 division shall acquire, maintain, preserve, interpret, exhibit,
 463 and make available for study objects which have intrinsic
 464 historical or archaeological value relating to the history,
 465 government, or culture of the state. Such objects may include
 466 tangible personal property of historical or archaeological
 467 value. Objects acquired under this section belong to the state,
 468 and title to such objects is vested in the division.

469 (1) Notwithstanding s. 273.02, the division shall maintain
 470 an adequate record of all objects in its custody which have a
 471 historical or archaeological value. Once each year, on July 1 or
 472 as soon thereafter as practicable, the division shall take a
 473 complete inventory of all such objects in its custody the value
 474 or cost of which is \$1000 ~~\$500~~ or more and a sample inventory of
 475 such objects the value or cost of which is less than \$1000 ~~\$500~~.

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476 Each inventory shall be compared with the property record, and
477 all discrepancies shall be traced and reconciled. Objects of
478 historical or archaeological value are not required to be
479 identified by marking or other physical alteration of the
480 objects.

481 Section 17. Section 267.16, Florida Statutes, is
482 transferred and renumbered as section 265.802, Florida Statutes.

483 Section 18. Section 267.161, Florida Statutes, is
484 transferred and renumbered as section 265.803, Florida Statutes.

485 Section 19. Section 258.081, Florida Statutes, is amended
486 to read:

487 258.081 Stephen Foster State Folk Culture Center.—The
488 division shall maintain and operate the Stephen Foster State
489 Folk Culture Center facility in such manner that the performing
490 arts component of the Florida Folklife Programs provided in s.
491 265.802 ~~s. 267.16~~ shall have priority use of the facility.

492 Section 20. Subsection (4) of section 468.401, Florida
493 Statutes, is amended to read:

494 468.401 Regulation of talent agencies; definitions.—As
495 used in this part or any rule adopted pursuant hereto:

496 (4) "Engagement" means any employment or placement of an
497 artist, where the artist performs in his or her artistic
498 capacity. However, the term "engagement" shall not apply to
499 procuring opera, music, theater, or dance engagements for any
500 organization defined in s. 501(c)(3) of the Internal Revenue

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501 Code or any nonprofit Florida arts organization that has
 502 received a grant from the Division of Arts and Culture ~~Cultural~~
 503 ~~Affairs~~ of the Department of State or has participated in the
 504 state touring program of the Division of Arts and Culture
 505 ~~Cultural Affairs~~.

506 Section 21. Paragraph (d) of subsection (2) of section
 507 553.902, Florida Statutes, is amended to read:

508 553.902 Definitions.—As used in this part, the term:

509 (2) "Exempted building" means:

510 (d) A historical building as defined ~~described~~ in s.
 511 267.021 ~~s. 267.021(3)~~.

512
 513 The Florida Building Commission may recommend to the Legislature
 514 additional types of buildings which should be exempted from
 515 compliance with the Florida Building Code-Energy Conservation.

516 Section 22. Subsection (1) of section 2 of chapter 2020-
 517 88, Laws of Florida, is amended to read:

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

519 (1) In coordination with the Division of Historical
 520 Resources ~~Cultural Affairs~~ of the Department of State, determine
 521 how the Museum of Florida History and other state museums will
 522 promote the history of the 1920 Ocoee Election Day Riots through
 523 exhibits and educational programs.

524 Section 23. This act shall take effect July 1, 2021.