

**SENATE . . . . . No. 1633**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Bruce E. Tarr*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the definition of a cultural facility.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Bruce E. Tarr*

*First Essex and Middlesex*

*Ann-Margaret Ferrante*

*5th Essex*

**SENATE . . . . . No. 1633**

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1633) of Bruce E. Tarr and Ann-Margaret Ferrante for legislation relative to the definition of a cultural facility. Tourism, Arts and Cultural Development.

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Thirteen**  
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An Act relative to the definition of a cultural facility.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 42 of chapter 23G of the General Laws, as most recently amended  
2 by section 58 of chapter 139 of the acts of 2012, is hereby further amended by striking the  
3 definition of "cultural facility" in its entirety and inserting in place thereof the following  
4 definition:-

5 "Cultural facility", a building, structure or site that is, or will be, owned, leased or  
6 otherwise used by 1 or more cultural organizations and that is accessible to the public and  
7 exempt from income taxation pursuant to section 501 (c)(3) of the Internal Revenue Code. The  
8 term cultural facility may include, but shall not be limited to, museums, historical sites, zoos,  
9 aquariums, nature or science centers, theaters, concert halls, exhibition spaces, classrooms and  
10 auditoriums suitable for presentation of performing or visual arts. Municipally owned buildings,  
11 structures or sites must be a minimum of 50,000 square feet in size, of which at least 50 per cent  
12 is used as a cultural facility, or 125 years old or older and located in a state-designated cultural  
13 district approved by the Massachusetts cultural council pursuant to section fifty-eight A of  
14 chapter ten of the General Laws. Public or private institutions of higher education may qualify if  
15 they demonstrate that their cultural facility provides service and open access to the community  
16 and the general public outside of the regular educational mission of the public or private institute  
17 of higher education and demonstrates financial need.