

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Providing Limited Government – This bill removes a directive to spend a specific amount of taxpayer dollars for the construction of state buildings in a particular way.

B. EFFECT OF PROPOSED CHANGES:

Florida statues 255.043, F.S. requires that 0.5 percent of the total appropriation for the construction of a state building, not to exceed \$100,000, must be used for the acquisition of works of art produced by, but not limited to, Florida artists or craftspersons. Additionally, the statute directs that the works of art acquired are to be displayed in public areas in the interior or on the grounds or the exterior of the building and not in private offices or areas with limited public access.

Under s. 255.43, F.S., the Department of Management Services (DMS) or other state agencies receiving appropriations for original constructions are required to notify the Florida Arts Council and the user agency of any construction project which is eligible for art funding provided under this section. The DMS or other state agency determines the amount to be made available for the purchase artwork for each project and reports these amounts to the Florida Arts Council and the user agency.

Utilizing a selection process developed by the Department of State, the user agency selects the artist and is responsible for the approval of any invoice for payment of artwork.

HB 1331 repeals s. 255.043, F.S.

C. SECTION DIRECTORY:

Section 1. Repeals s. 255.043

Section 2. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill will reduce the amount of work provided to artists attributable to providing artwork for state buildings.

D. FISCAL COMMENTS:

The fiscal impact of this bill is expected to be positive due to the elimination of a requirement to spend a specific amount of state funds for non-essential items.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require the counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

N/A

B. RULE-MAKING AUTHORITY:

This bill repeals existing rulemaking authority for the Department of State required for the implementation of this section.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES