

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Government Operations
2 Subcommittee

3 Representative LaMarca offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 **Section 1.** Sections 113.01, 113.02, and 113.03, Florida
8 Statutes, are repealed.

9 **Section 2. Section 113.051, Florida Statutes, is amended**
10 **to read:**

11 113.051 Grants and commissions.—All grants and commissions
12 shall be in the name and under the authority of the State of
13 Florida, sealed with the great seal of this ~~the~~ state, signed by
14 the Governor, and countersigned by the Secretary of State. A
15 commission may not be issued by the Governor, attested to by the

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16 Secretary of State, or bear the seal of this state until the
17 oath of office is filed pursuant to s. 113.06.

18 **Section 3. Subsection (2) of section 117.01, Florida**
19 **Statutes, is amended to read:**

20 117.01 Appointment, application, suspension, revocation,
21 application fee, bond, and oath.—

22 (2) The application for appointment shall be signed and
23 sworn to by the applicant and shall be accompanied by a fee of
24 \$25, ~~together with the \$10 commission fee required by s. 113.01,~~
25 and a surcharge of \$4, which \$4 is appropriated to the Executive
26 Office of the Governor to be used to educate and assist notaries
27 public. The Executive Office of the Governor may contract with
28 private vendors to provide the services set forth in this
29 section. However, a ~~no~~ commission fee is not ~~shall be~~ required
30 for the issuance of a commission as a notary public to a veteran
31 who served during a period of wartime service, as defined in s.
32 1.01(14), and who has been rated by the United States Government
33 or the United States Department of Veterans Affairs or its
34 predecessor to have a disability rating of 50 percent or more;
35 such a disability is subject to verification by the Secretary of
36 State, who has authority to adopt reasonable procedures to
37 implement this act. The oath of office and notary bond required
38 by this section shall also accompany the application and ~~shall~~
39 be in a form prescribed by the Department of State which shall
40 require, but not be limited to, the following information: full

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41 name, residence address and telephone number, business address
42 and telephone number, date of birth, race, sex, social security
43 number, citizenship status, driver license number or the number
44 of other official state-issued identification, affidavit of good
45 character from someone unrelated to the applicant who has known
46 the applicant for 1 year or more, a list of all professional
47 licenses and commissions issued by this ~~the~~ state during the
48 previous 10 years and a statement as to whether or not the
49 applicant has had such license or commission revoked or
50 suspended, and a statement as to whether or not the applicant
51 has been convicted of a felony, and, if there has been a
52 conviction, a statement of the nature of the felony and
53 restoration of civil rights. The applicant may not use a
54 fictitious or assumed name other than a nickname on an
55 application for commission. The application shall be maintained
56 by the Department of State for the full term of a notary
57 commission. A notary public shall notify, in writing, the
58 Department of State of any change in his or her business
59 address, home telephone number, business telephone number, home
60 address, or criminal record within 60 days after such change.
61 The Governor may require any other information he or she deems
62 necessary for determining whether an applicant is eligible for a
63 notary public commission. Each applicant must swear or affirm on
64 the application that the information on the application is true
65 and correct.

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66 **Section 4. Subsection (3) of section 117.225, Florida**
67 **Statutes, is amended to read:**

68 117.225 Registration; qualifications.—A notary public, a
69 civil-law notary appointed under chapter 118, or a commissioner
70 of deeds appointed under part IV of chapter 721 may complete
71 registration as an online notary public with the Department of
72 State by:

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

75 **Section 5. Paragraph (b) of subsection (2) of section**
76 **117.295, Florida Statutes, is amended to read:**

77 117.295 Standards for electronic and online notarization;
78 rulemaking authority.—

79 (2) The Department of State shall:

80 (b) Publish on its website a list containing each online
81 notary public, the online notary public's RON service providers
82 from January 1, 2022, and thereafter, the effective dates during
83 which the online notary public used each RON service provider,
84 as identified pursuant to ss. 117.225(4) ~~ss. 117.225(5)~~ and
85 117.265(5) (b), any secure repositories to which the online
86 notary public may have delegated his or her duties pursuant to
87 s. 117.245(4) from January 1, 2022, and thereafter, and the
88 effective dates of that delegation.

89 **Section 6. Subsection (1) of section 257.031, Florida**
90 **Statutes, is amended to read:**

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91 257.031 State Librarian; appointment and duties.—

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

100 **Section 7. Subsection (4) is added to section 257.12,**
101 **Florida Statutes, to read:**

102 257.12 Division of Library and Information Services
103 authorized to accept and expend federal funds.—

104 (4) The State Library Council, as provided in s. 257.02,
105 shall develop recommendations for providing available federal
106 funds to public libraries. The secretary may review and identify
107 the funding recommendation list to identify whether federal
108 grant funds awarded under this section are expended in
109 compliance with all federal, state, and local laws and
110 regulations and are used only for activities and programs that
111 are not harmful to minors. For purposes of this subsection, the
112 term "harmful to minors" means any reproduction, imitation,
113 characterization, description, exhibition, presentation, or
114 representation, in any manner or form, depicting sexual conduct
115 or sexual excitement.

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116 **Section 8. Paragraph (a) of subsection (2) of section**
117 **257.17, Florida Statutes, is amended to read:**

118 257.17 Operating grants.—A political subdivision that has
119 been designated by a county or municipality as the single
120 library administrative unit is eligible to receive from the
121 state an annual operating grant of not more than 25 percent of
122 all local funds expended by that political subdivision during
123 the second preceding fiscal year for the operation and
124 maintenance of a library, under the following conditions:

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

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

135 **Section 9. Section 257.191, Florida Statutes, is amended**
136 **to read:**

137 257.191 Construction grants.—

138 (1) The Division of Library and Information Services may
139 accept and administer library construction moneys appropriated
140 to it and shall allocate such appropriation to municipal,

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141 county, and regional libraries in the form of library
142 construction grants on a matching basis. The local matching
143 portion shall be no less than the grant amount, on a dollar-for-
144 dollar basis, up to the maximum grant amount, unless the
145 matching requirement is waived by s. 288.06561. Initiation of a
146 library construction project 12 months or less prior to the
147 grant award under this section shall not affect the eligibility
148 of an applicant to receive a library construction grant. The
149 division shall adopt rules for the administration of library
150 construction grants. For the purposes of this section, s. 257.21
151 does not apply.

152 (2) (a) The secretary must identify whether the library
153 construction grants awarded under this section are expended in
154 compliance with all federal, state, and local laws and
155 regulations and are used only for activities and programs that
156 are not harmful to minors. For purposes of this paragraph, the
157 term "harmful to minors" means any reproduction, imitation,
158 characterization, description, exhibition, presentation, or
159 representation, in any manner or form, depicting sexual conduct
160 or sexual excitement.

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

163 **Section 10. Section 257.23, Florida Statutes, is amended**
164 **to read:**

165 257.23 Application for grant.—

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166 (1) The board of county commissioners of any county, the
167 chief executive officer of a municipality, or the governing body
168 of a special district or a special tax district desiring to
169 receive a grant under the provisions of ss. 257.14-257.25 shall
170 apply therefor to the Division of Library and Information
171 Services on or before October 1 of each year on a form to be
172 provided by the division. The application shall be signed by the
173 chair of the board of county commissioners and attested by the
174 clerk of the circuit court or the appropriate officer in a
175 charter county, by the chief executive officer of a municipality
176 and attested by the clerk of the municipality, or by the chair
177 of the governing body and attested by the chief financial
178 officer of a special district or a special tax district. The
179 county, municipality, special district, or special tax district
180 shall agree to observe the standards established by the division
181 as authorized in s. 257.15. On or before December 1 each year,
182 the applicant shall certify the annual tax income and the rate
183 of tax or the annual appropriation for the free library or free
184 library service, and shall furnish such other pertinent
185 information as the division may require.

186 (2) The secretary must identify whether grants awarded
187 under this section are expended in compliance with all federal,
188 state, and local laws and regulations and are used only for
189 activities and programs that are not harmful to minors. For
190 purposes of this subsection, the term "harmful to minors" means

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191 any reproduction, imitation, characterization, description,
192 exhibition, presentation, or representation, in any manner or
193 form, depicting sexual conduct or sexual excitement.

194 **Section 11.** Section 257.34, Florida Statutes, is repealed.

195 **Section 12. Section 257.42, Florida Statutes, is amended**
196 **to read:**

197 257.42 Library cooperative grants.—

198 (1) The administrative unit of a library cooperative is
199 eligible to receive an annual grant from the state for the
200 purpose of sharing library resources based upon an annual plan
201 of service and expenditure and an annually updated 5-year, long-
202 range plan of cooperative library resource sharing. Those plans,
203 which must include a component describing how the cooperative
204 will share technology and the use of technology, must be
205 submitted to the division for evaluation and possible
206 recommendation for funding in the division's legislative budget
207 request. Grant funds may not be used to supplant local funds or
208 other funds. A library cooperative must provide from local
209 sources matching cash funds equal to 10 percent of the grant
210 award.

211 (2) The secretary must identify whether state grant funds
212 awarded under this section are expended in compliance with all
213 federal, state, and local laws and regulations and are used only
214 for activities and programs that are not harmful to minors. For
215 purposes of this subsection, the term "harmful to minors" means

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216 any reproduction, imitation, characterization, description,
217 exhibition, presentation, or representation, in any manner or
218 form, depicting sexual conduct or sexual excitement.

219 **Section 13. Subsections (12), (16) and (17) of section**
220 **265.283, Florida Statutes, are amended to read:**

221 265.283 Definitions.—The following definitions shall apply
222 to ss. 265.281-265.703:

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

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

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

232 **Section 14. Subsection (1) of section 265.284, Florida**
233 **Statutes, is amended to read:**

234 265.284 Chief arts and culture ~~cultural~~ officer; director
235 of division; powers and duties.—

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

238 **Section 15. Paragraphs (a) and (c) of subsection (1) and**
239 **paragraphs (c), (e), (f), and (g) of subsection (2) of section**
240 **265.285, Florida Statutes, are amended to read:**

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241 265.285 Florida Council on Arts and Culture; membership,
242 duties.—

243 (1) (a) The Florida Council on Arts and Culture is created
244 within the department as an advisory body, as defined in s.
245 20.03(7). The council shall be composed of, consisting of 15
246 members. Seven members shall be appointed by the Governor in
247 consultation with the Secretary of State, four members shall be
248 appointed by the President of the Senate, and four members shall
249 be appointed by the Speaker of the House of Representatives. Of
250 the seven members appointed by the Governor, one member must be
251 a licensed architect who has expertise in cultural facilities;
252 one member must be an enrolled member of the Seminole Tribe of
253 Florida; one member must be a professional public folklorist;
254 one member must be a university affiliated folklorist; one
255 member must be a practicing or former professional artist; and
256 one member must be a retired chief executive officer of a
257 Florida-based accredited museum. The remaining member appointed
258 by the Governor and the four members appointed by the President
259 of the Senate and the Speaker of the House of Representatives,
260 respectively, must be representatives of the public with
261 demonstrated interest in and knowledge of the arts, culture,
262 museums, folklore, and cultural heritage traditions. The
263 appointments that are, to be made in consultation with the
264 Secretary of State, shall recognize the need for geographical
265 representation. Council members appointed by the Governor shall

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266 be appointed for 4-year terms beginning on January 1 of the year
267 of appointment. Council members appointed by the President of
268 the Senate and the Speaker of the House of Representatives shall
269 be appointed for 2-year terms beginning on January 1 of the year
270 of appointment. A member of the council who serves two 4-year
271 terms or two 2-year terms is not eligible for reappointment for
272 1 year following the expiration of the member's second term. A
273 member whose term has expired shall continue to serve on the
274 council until such time as a replacement is appointed. Any
275 vacancy on the council shall be filled for the remainder of the
276 unexpired term in the same manner as for the original
277 appointment. Members should have a substantial history of
278 community service in the performing or visual arts, which
279 includes, but is not limited to, theater, dance, folk and
280 traditional arts, music, architecture, photography, literature,
281 and media arts, or in the areas of science, history, or
282 children's museums. In addition, it is desirable that members
283 have successfully served on boards of cultural institutions such
284 as museums and performing arts centers or are recognized as
285 patrons of the arts. A member may not receive financial
286 compensation as an employee or officer of an entity that has
287 received grant funds or an applicant for division grant funding
288 recommendations. This prohibition does not apply to an employee
289 or officer of a state college or university.

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

294 (2) The council shall:

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

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

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

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

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314 ~~nominees for appointment as the State Poet Laureate under s.~~
315 ~~265.2863.~~

316 **Section 16. Section 265.286, Florida Statutes, is amended**
317 **to read:**

318 265.286 Arts Art and cultural grants.-

319 (1) For purposes of this section, the term "harmful to
320 minors" means any reproduction, imitation, characterization,
321 description, exhibition, presentation, or representation, in any
322 manner or form, depicting sexual conduct or sexual excitement.

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

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

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

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

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

337 (4)-(1) The secretary may appoint reviewers review panels
338 consisting of members from various art and cultural disciplines

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339 ~~and programs~~ to assist the council in the grant application
340 review process. Appointed reviewers shall review ~~Each panel~~
341 ~~member shall be appointed to a 1-year term. Each panel shall~~
342 ~~consist of practicing artists or other professionals actively~~
343 ~~involved in the specific discipline or program for which the~~
344 ~~panel has been appointed. Each panel shall review and score~~
345 ~~grant applications and recommend to the council the applicants~~
346 ~~to which grants may should be awarded. The panels shall submit~~
347 ~~lists of eligible applicants by score. The division shall adopt~~
348 ~~rules establishing a formula for such scoring.~~

349 (5)(2) ~~The council and each panel~~ shall provide a forum
350 for public comment before voting on any grant application.

351 (6)(3) After the council reviews the recommended lists ~~of~~
352 ~~eligible applicants submitted by each review panel,~~ it shall
353 develop a list of recommended arts and culture grants ~~two lists,~~
354 ~~one of which must consist of eligible applicants for general~~
355 ~~program support funding and one of which must consist of~~
356 ~~eligible applicants for specific cultural project funding,~~ and
357 submit the list ~~lists~~ to the secretary. The secretary may review
358 and provide comments to the Legislature concerning the
359 recommended applicants. Funds awarded under this section must be
360 expended in compliance with all federal, state, and local laws
361 and regulations and used only for activities and programs that
362 are not harmful to minors. The secretary shall submit the
363 recommended list to the Legislature annually for funding

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364 ~~consideration shall review the council's recommendations and,~~
365 ~~beginning July 1, 2010, include the lists of approved applicants~~
366 ~~in the department's legislative budget request submitted to the~~
367 ~~Legislature.~~

368 ~~(7)(4) Arts and cultural Project~~ grants shall be funded
369 from the secretary's submitted ~~approved~~ list ~~by score~~ until all
370 appropriated funds are depleted. If ~~specific project~~ grant funds
371 are returned to the division, it shall award such funds to the
372 next grant applicant on the secretary's list of ~~approved~~
373 applicants. ~~General program support grants shall be awarded to~~
374 ~~applicants on the secretary's list in amounts determined by~~
375 ~~rule.~~

376 ~~(8)(5)~~ The division shall administer awarded grants fund:

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

385 (b) To activities and programs that have substantial
386 artistic and cultural significance and emphasize creativity and
387 professional excellence ~~Grants for specific cultural projects~~
388 ~~for arts in education, museums, Culture Builds Florida, or~~

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389 ~~nonprofit public or private organizations having cultural~~
390 ~~project activity in any of the art and cultural disciplines.~~

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

396 (d) To activities and programs that are not harmful to
397 minors ~~An individual artist fellowship program. The division~~
398 ~~shall establish a selection procedure that identifies individual~~
399 ~~artists of exceptional talent and demonstrated ability and~~
400 ~~distribute grant appropriations as provided by rule.~~

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

403 ~~(9)(6)~~ The division may ~~shall~~ adopt rules establishing:

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

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

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

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

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

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

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

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

439 ~~(8) Eligible grantees must:~~

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

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

445 ~~(10)(9)~~ In order to equitably distribute limited state
446 funding, applicants may apply for and be awarded only one grant
447 per annual grant cycle, except for cultural facilities, ~~a~~
448 ~~cultural endowment, or touring program grants and individual~~
449 ~~artist fellowships.~~

450 ~~(11)(10)~~ Of the total amount of grant funds available from
451 all sources for grants, except cultural facilities ~~and cultural~~
452 ~~endowments~~, 70 percent shall be awarded on at least a dollar-to-
453 dollar matching basis. Up to 50 percent of the grantee's match
454 may consist of in-kind funds. Up to 30 percent of all grant
455 funds may be awarded on a nonmatching basis, ~~including~~
456 ~~individual fellowships.~~

457 (12) An applicant seeking a recommendation from a reviewer
458 for grant funding may not have a substantial interest as set
459 forth in s. 120.569 in any of its requested recommendations.

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460 (13)~~(11)~~ The division may ~~shall~~ adopt rules to administer
461 and implement this section.

462 (14) Effective upon this act becoming a law, the secretary
463 shall request, and the council shall submit, an updated list of
464 activities and programs that comply with the requirements of
465 this section. After reviewing and making comments, the secretary
466 shall submit a recommended list to the Legislature for funding
467 consideration in the General Appropriations Act for fiscal year
468 2025-2026. This subsection expires July 1, 2026.

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

476 **Section 17. Subsections (3), (4), and (7) of section**
477 **265.2865, Florida Statutes, are amended to read:**

478 265.2865 Florida Artists Hall of Fame.—

479 (3) The Florida Council on Arts and Culture may ~~shall~~
480 accept nominations annually for persons to be recommended as
481 members of the Florida Artists Hall of Fame. The council may
482 ~~shall~~ recommend to the Secretary of State persons to be named as
483 members of the Florida Artists Hall of Fame. The council's
484 recommended council shall recommend as members to ~~of~~ the Florida

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485 Artists Hall of Fame must be persons who were born in Florida or
486 adopted Florida as their home state and base of operation and
487 who have made a significant contribution to the enhancement of
488 the arts in this state.

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

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

495 **Section 18. Subsections (1), (2), and (3) of section**
496 **265.701, Florida Statutes, are amended, and subsections (6) and**
497 **(7) are added to that section, to read:**

498 265.701 Cultural facilities; grants for ~~acquisition,~~
499 ~~renovation,~~ or construction; funding; approval; allocation.—

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

505 (2) A county, municipality, or qualified corporation may
506 apply for a grant of state funds for the ~~acquisition,~~
507 ~~renovation,~~ or construction of a cultural facility. For the
508 purposes of this section, a "qualified corporation" is a
509 corporation which is designated a not-for-profit corporation

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510 pursuant to s. 501(c)(3) or (4) of the Internal Revenue Code of
511 1954, and which is described in, and allowed to receive
512 contributions pursuant to the provisions of, s. 170 of the
513 Internal Revenue Code of 1954, and which is a corporation not
514 for profit incorporated pursuant to chapter 617. The state grant
515 must be matched by a contribution from the county, municipality,
516 or nonprofit corporation in an amount to be determined by the
517 Department of State.

518 (3) The Florida Council on Arts and Culture shall review
519 each application for a grant to ~~acquire,~~ renovate, or construct
520 a cultural facility which is submitted pursuant to subsection
521 (2) and shall submit annually to the Secretary of State for
522 approval lists of all applications that are recommended by the
523 council for the award of grants, arranged in order of priority.
524 The secretary may review and provide comments to the Legislature
525 concerning the recommended applicants. Funds awarded under this
526 section must be expended in compliance with all federal, state,
527 and local laws and regulations and used only for activities and
528 programs that are not harmful to minors. The secretary shall
529 submit the recommended list to the Legislature for funding
530 consideration. For purposes of this subsection, the term
531 "harmful to minors" means any reproduction, imitation,
532 characterization, description, exhibition, presentation, or
533 representation, in any manner or form, depicting sexual conduct
534 or sexual excitement. The division may allocate grants only for

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535 projects that are approved or for which funds are appropriated
536 by the Legislature. ~~Projects approved and recommended by the~~
537 ~~Secretary of State which are not funded by the Legislature shall~~
538 ~~be retained on the project list for the following grant cycle~~
539 ~~only. All projects that are retained shall be required to submit~~
540 ~~such information as may be required by the department as of the~~
541 ~~established deadline date of the latest grant cycle in order to~~
542 ~~adequately reflect the most current status of the project.~~

543 (6) Effective upon this act becoming a law, the secretary
544 shall request, and the council shall submit, an updated list of
545 projects that comply with the requirements of this section.
546 After reviewing and making comments, the secretary shall submit
547 the recommended list to the Legislature for funding
548 consideration in the General Appropriations Act for fiscal year
549 2025-2026. This subsection expires July 1, 2026.

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

557 **Section 19. Subsection (1) of section 265.703, Florida**
558 **Statutes, is amended to read:**

Amendment No.

559 265.703 Citizen support organizations; use of state
560 administrative services and property; audit.—

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

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

571 (b) Organized and operated to conduct programs and
572 activities; raise funds; request and receive grants, gifts, and
573 bequests of money; acquire, receive, hold, invest, and
574 administer, in its own name, securities, funds, objects of
575 value, or other property, real or personal; and make
576 expenditures to or for the direct or indirect benefit of the
577 division, ~~or~~ individual program units, or international and
578 intergovernmental programs of the division.

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

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

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584 **Section 20. Paragraph (a) of subsection (1) of section**
585 **265.803, Florida Statutes, is amended to read:**

586 265.803 Florida Folklife Council.—

587 (1) (a) The Florida Folklife Council is created as a sub-
588 council within part of the Florida Council on Arts and Culture
589 created by s. 265.285 Department of State, to consist of seven
590 members appointed by the Secretary of State from the membership
591 of the Florida Council on Arts and Culture. The Secretary of
592 State shall appoint each member for a 4-year term and shall
593 appoint a successor for each member within 90 days after the
594 expiration of the member's term. The Secretary of State shall
595 fill any vacancy for the remainder of the unexpired term within
596 90 days after the vacancy occurs. Members shall be appointed to
597 provide geographical, cultural, traditional ~~ethnic~~, and
598 professional representation on the council.

599 **Section 21. Paragraph (c) of subsection (6) of section**
600 **267.0612, Florida Statutes, is amended to read:**

601 267.0612 Florida Historical Commission; creation;
602 membership; powers and duties.—In order to enhance public
603 participation and involvement in the preservation and protection
604 of the state's historic and archaeological sites and properties,
605 there is created within the Department of State the "Florida
606 Historical Commission." The commission shall serve in an
607 advisory capacity to the director of the Division of Historical
608 Resources to assist the director in carrying out the purposes,

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609 duties, and responsibilities of the division, as specified in
610 this chapter.

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

614 (c) Evaluating proposals for awards of special category
615 historic preservation grants-in-aid administered by the
616 division. Pursuant thereto, the commission shall review and
617 evaluate proposals for special category grants and shall make
618 recommendations, including a priority ranking, reflecting such
619 evaluation. In making such evaluation and recommendations, the
620 commission shall, at a minimum, consider the purpose, economic
621 and other public benefit, location, compatibility with statewide
622 historic preservation priorities, and cost of each proposal for
623 special category grant assistance. Special category historic
624 preservation grants-in-aid recommendations of the commission
625 shall be reviewed by the Secretary of State as provided in s.
626 267.0617.

627 **Section 22. Subsections (2) and (3) of section 267.0617,**
628 **Florida Statutes, are amended to read:**

629 267.0617 Historic Preservation Grant Program.—

630 (2) The division is authorized to conduct and carry out a
631 program of historic preservation grants-in-aid, including
632 matching grants, to any department or agency of the state; any
633 unit of county, municipal, or other local government; any

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634 corporation, partnership, or other organization, whether public
635 or private or whether or not for profit; or any individual for
636 projects having as their purpose the identification,
637 acquisition, protection, preservation, rehabilitation,
638 restoration, or construction of historic sites and properties,
639 or Florida history, or the planning of such activities. Funds
640 appropriated from general revenue for the historic preservation
641 grants-in-aid program shall not be provided for a project owned
642 by private individuals or owned by for-profit corporations. ~~All~~
643 ~~moneys received from any source as appropriations, deposits, or~~
644 ~~contributions to this program shall be paid and credited to the~~
645 ~~Historical Resources Operating Trust Fund.~~

646 (3) All grants of state funds to assist in the
647 preservation of historic properties ~~shall be made from the~~
648 ~~Historical Resources Operating Trust Fund~~ and may be awarded
649 only pursuant to applications for such assistance made to the
650 Division of Historical Resources. The Florida Historical
651 Commission shall review each application for a special category
652 historic preservation grant-in-aid. ~~Special category historic~~
653 ~~preservation grants-in-aid are those reviewed and recommended by~~
654 ~~the Secretary of State for submission for legislative funding~~
655 ~~consideration.~~ Grant review panels appointed by the Secretary of
656 State and chaired by a member of the Florida Historical
657 Commission or a designee appointed by the commission's presiding
658 officer shall review each application for other historic

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659 preservation grants-in-aid. Each ~~The~~ reviewing body shall submit
660 annually to the Secretary of State ~~for approval~~ lists of all
661 historic preservation grant-in-aid applications that are
662 recommended by the reviewing body for the award of grants,
663 arranged in order of priority. The Secretary of State may review
664 and provide comments to the Legislature concerning the
665 recommended applicants. Funds awarded under this section must be
666 expended in compliance with all federal, state, and local laws
667 and regulations and used only for activities and programs that
668 are not harmful to minors. The Secretary shall submit the
669 recommended lists to the Legislature for funding consideration.
670 For purposes of this subsection, the term "harmful to minors"
671 means any reproduction, imitation, characterization,
672 description, exhibition, presentation, or representation, in any
673 manner or form, depicting sexual conduct or sexual excitement.

674 **Section 23.** Section 267.0722, Florida Statutes, is
675 repealed.

676 **Section 24.** **Section 267.075, Florida Statutes, is amended**
677 **to read:**

678 267.075 The Grove; management; stewardship ~~Advisory~~
679 ~~Council; creation; membership; purposes.-~~

680 (1) The Call/Collins House, commonly known as "The Grove,"
681 located in Tallahassee, Leon County, shall be utilized as a
682 house museum of history for the educational benefit of the
683 citizens of this state. The utilization of The Grove as a museum

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684 of history shall emphasize the lives and accomplishments of The
685 Grove's first owner, Richard Keith Call, Florida's last
686 Territorial Governor, and LeRoy Collins, Florida's 33rd
687 Governor, who, with his wife, Mary Call Darby Collins, were the
688 last owners of The Grove. The faithful restoration and
689 maintenance of The Grove undertaken by LeRoy Collins and Mary
690 Call Darby Collins during the nearly six decades of Collins
691 family ownership and stewardship which has preserved the
692 original plan of construction and design of The Grove shall be
693 continued as provided for in this section.

694 ~~(2) There is created within the Department of State The~~
695 ~~Grove Advisory Council for the purpose of advising the Division~~
696 ~~of Historical Resources on the operation, maintenance,~~
697 ~~preservation, and protection of the Call/Collins House, commonly~~
698 ~~known as "The Grove," its grounds, cemetery, and all structures~~
699 ~~thereon; the furniture and furnishings located therein; any~~
700 ~~changes in the architecture, structure, furnishings, or~~
701 ~~landscaping deemed necessary or desirable by the council; and~~
702 ~~the design and development of interpretive programs and exhibits~~
703 ~~in connection therewith.~~

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

706 ~~1. Five members shall be private citizens appointed by the~~
707 ~~Secretary of State.~~

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

710 ~~3. One member shall be the director of the Division of~~
711 ~~Historical Resources of the Department of State.~~

712 ~~4. At least one member shall be a direct descendant of~~
713 ~~Mary Call Darby Collins appointed by the Secretary of State with~~
714 ~~the advice of the oldest living generation of lineal descendants~~
715 ~~of Mary Call Darby Collins.~~

716
717 ~~Of the citizen members, at least one member shall have~~
718 ~~professional curatorial and museum expertise, one member shall~~
719 ~~have professional architectural expertise in the preservation of~~
720 ~~historic buildings, and one member shall have professional~~
721 ~~landscape expertise. The five citizen members of the council~~
722 ~~appointed by the Secretary of State and the member of the~~
723 ~~council who is a direct descendant of Mary Call Darby Collins~~
724 ~~appointed by the Secretary of State shall be appointed for~~
725 ~~staggered 4-year terms. The Secretary of State shall fill the~~
726 ~~remainder of unexpired terms for the five citizen members of the~~
727 ~~council and the member of the council who is a direct descendant~~
728 ~~of Mary Call Darby Collins.~~

729 ~~(b) The council shall annually elect a chair from among~~
730 ~~the five citizen members of the council appointed by the~~
731 ~~Secretary of State and the member of the council who is a direct~~
732 ~~descendant of Mary Call Darby Collins appointed by the Secretary~~

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733 ~~of State. The chair shall serve for a term of 1 year. Meetings~~
734 ~~of the council shall be held at the call of the chair, at the~~
735 ~~request of a majority of its membership, at the request of the~~
736 ~~Secretary of State, or at such times as may be prescribed by~~
737 ~~rules of the council. The council shall meet at least twice~~
738 ~~annually. A majority of the council shall constitute a quorum~~
739 ~~for the transaction of business.~~

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

745 ~~(d) Members of the council shall serve without~~
746 ~~compensation or honorarium but shall be entitled to receive~~
747 ~~reimbursement for per diem and travel expenses as provided in s.~~
748 ~~112.061. All expenses of the council shall be paid from~~
749 ~~appropriations to be made by the Legislature to the Department~~
750 ~~of State. All vouchers shall be approved by the Division of~~
751 ~~Historical Resources before being submitted to the Chief~~
752 ~~Financial Officer for payment.~~

753 ~~(2)(4)~~ (a) The Division of Historical Resources, ~~with the~~
754 ~~advice and assistance of the council,~~ shall maintain the
755 structure, style, character, and landscaping of The Grove, its
756 grounds, its private family cemetery, and all structures thereon
757 consistent with the character, plan, and design of The Grove at

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758 the time the state takes physical possession of The Grove and
759 its surrounding property from Mary Call Darby Collins. It shall
760 preserve and protect the antique furnishings and other articles
761 of furniture, fixtures, and decorative objects and articles used
762 or displayed in the premises.

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

767 (c) The Division of Historical Resources may receive, on
768 behalf of the state, contributions, bequests, and gifts of
769 money, furniture, works of art, memorabilia, or other property
770 consistent with the use of The Grove as described in this
771 section. Title to all property which is received in this manner
772 shall vest in the state and shall be held in trust by the
773 Division of Historical Resources solely to further the purposes
774 of this section. No furniture, furnishings, fixtures, or
775 decorative objects acquired from the Collins family or any of
776 its members shall be used for any purpose except as a permanent
777 part of The Grove's furniture, furnishings, fixtures, or
778 decorative objects, and any such item not so utilized shall
779 forthwith revert to the Collins family member or members from
780 whom it was acquired. ~~No gifts, contributions, or bequests shall~~
781 ~~be accepted for The Grove without the advice and recommendation~~
782 ~~of the council.~~

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783 **Section 25. Subsection (2) of section 267.21, Florida**
784 **Statutes, is amended to read:**

785 267.21 Historic Cemeteries Program.—

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

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

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

797 (b) All grants of state funds to assist abandoned African-
798 American cemeteries may be awarded only pursuant to applications
799 for such assistance made to the division. The Florida Historic
800 Cemeteries Program Advisory Council shall review each
801 application for an abandoned African-American cemeteries grant
802 made under this section. The council shall submit annually to
803 the Secretary of State a list of all abandoned African-American
804 cemeteries applications that it recommends for the award of
805 grants, arranged in order of priority. The Secretary of State
806 may review and provide comments to the Legislature concerning
807 the recommended applicants. Funds awarded under this section

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808 must be expended in compliance with all federal, state, and
809 local laws and regulations and used only for activities and
810 programs that are not harmful to minors. The Secretary of State
811 shall submit a recommended list to the Legislature for funding
812 consideration. For purposes of this paragraph, the term "harmful
813 to minors" means any reproduction, imitation, characterization,
814 description, exhibition, presentation, or representation, in any
815 manner or form, depicting sexual conduct or sexual excitement.

816 **Section 26. Subsections (1) and (2) of section 267.22,**
817 **Florida Statutes, are amended to read:**

818 267.22 Historic Cemeteries Program Advisory Council.—

819 (1) The Historic Cemeteries Program Advisory Council, an
820 advisory council as defined in s. 20.03(7), is created as a sub-
821 council within the Florida Historical Commission created by s.
822 267.0612 ~~division~~ and shall consist of at least five but no more
823 than nine members appointed by the Florida Historical Commission
824 Secretary of State after considering the recommendations of the
825 director of the division. The council must be composed of an
826 inclusive group of members who are regionally distributed and
827 representative of communities throughout this state and may
828 include members of the Florida Historical Commission. Members in
829 place on July 1, 2025, may serve for the remainder of their
830 respective terms. New appointments to the council may not be
831 made until the retirement, resignation, removal, or expiration
832 of the terms of the initial members results in fewer than five

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

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

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857 **Section 27.** This act shall take effect upon becoming a
858 law.

859
860 -----

861 **T I T L E A M E N D M E N T**

862 Remove everything before the enacting clause and insert:

863 A bill to be entitled

864 An act relating to duties of the Department of State;
865 repealing ss. 113.01, 113.02, and 113.03, F.S.,
866 relating to fees for commissions issued by Governor,
867 fees to be paid before commissions are issued, and the
868 disposition of proceeds, respectively; amending s.
869 113.051, F.S.; requiring an oath of office to be filed
870 before certain actions may be taken with a commission;
871 amending ss. 117.01 and 117.225, F.S.; conforming
872 provisions to changes made by the act; amending s.
873 117.295, F.S.; conforming a cross-reference; amending
874 s. 257.031, F.S.; revising the entity that accredits a
875 specified library school program; amending s. 257.12,
876 F.S.; revising duties of the State Library Council;
877 authorizing the Secretary of State to review and
878 identify certain funding recommendations made by the
879 council; defining the term "harmful to minors";
880 amending s. 257.17, F.S.; conforming provisions to
881 changes made by the act; amending s. 257.191, F.S.;

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882 requiring the secretary to identify whether
883 construction grant funds meet certain criteria and are
884 used for certain purposes; defining the term "harmful
885 to minors"; requiring the secretary to submit a
886 recommended list to the Legislature for funding
887 consideration; amending s. 257.23, F.S.; requiring the
888 secretary to identify whether construction grant funds
889 meet certain criteria and are used for certain
890 purposes; defining the term "harmful to minors";
891 repealing s. 257.34, F.S., relating to the Florida
892 International Archive and Repository; amending s.
893 257.42, F.S.; requiring the secretary to identify
894 whether library cooperative grant funds meet certain
895 criteria and are used for certain purposes; defining
896 the term "harmful to minors"; amending s. 265.283,
897 F.S.; revising definitions; amending s. 265.284, F.S.;
898 replacing the term "chief cultural officer" with the
899 term "chief arts and culture officer"; providing that
900 the secretary is the chief arts and culture officer of
901 the state; amending s. 265.285, F.S.; revising the
902 membership of the Florida Council on Arts and Culture;
903 prohibiting council members from receiving financial
904 compensation under specified circumstances; providing
905 an exception; revising duties of the council; defining
906 the term "harmful to minors"; amending s. 265.286,

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907 F.S.; defining the term "harmful to minors"; requiring
908 the Division of Arts and Culture to accept
909 applications for arts and cultural grants for
910 specified purposes; specifying eligibility criteria;
911 removing review panel member appointments and
912 criteria; authorizing the secretary to review a
913 specified list and provide comments to the
914 Legislature; requiring that specified grant funds meet
915 certain criteria and are used for certain purposes;
916 requiring the secretary to submit a recommended list
917 to the Legislature for funding consideration;
918 providing activities and programs for which the
919 division may award grants; revising items for which
920 the division may adopt rules; prohibiting applicants
921 for grant funding from having substantial interests
922 for certain recommendations; requiring the secretary
923 to submit a recommended list to the Legislature for
924 funding consideration; authorizing the council and
925 secretary to provide a separate list for certain
926 activities and programs; providing applicability;
927 providing expiration dates for certain purposes;
928 amending s. 265.2865, F.S.; authorizing, rather than
929 requiring, the council to accept and recommend
930 nominations for certain purposes annually; reducing
931 the number of members the secretary may name to the

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932 Florida Artists Hall of Fame in any nomination year;
933 authorizing, rather than requiring, the secretary to
934 annually request an appropriation for certain
935 purposes; amending s. 265.701, F.S.; removing the
936 ability of certain grant funds to be used to acquire
937 cultural facilities; authorizing the secretary to
938 review specified list and provide comments to the
939 Legislature; requiring that grant funds meet certain
940 criteria and are used for certain purposes; defining
941 the term "harmful to minors"; requiring the secretary
942 to make submit a recommended list to the Legislature
943 for funding considerations; authorizing the council
944 and secretary to provide a separate list for certain
945 activities and programs; providing applicability;
946 providing expiration dates for a certain purpose;
947 amending s. 265.703, F.S.; revising the programs for
948 which citizen support organizations may provide
949 support; amending s. 265.803, F.S.; revising
950 programmatic set-up and functions of the Florida
951 Folklife Council; amending s. 267.0612, F.S.;
952 requiring the secretary to review special category
953 historic preservation grants-in-aid recommendations of
954 the Florida Historical Commission; amending s.
955 267.0617, F.S.; removing a provision that requires
956 certain funds to be credited to the Historical

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957 Resources Operating Trust Fund; authorizing the
958 secretary to review specified lists and provide
959 comments to the Legislature; requiring that grant
960 funds meet certain criteria and are used for certain
961 purposes; requiring the secretary to submit
962 recommended lists to the Legislature for funding
963 consideration; defining the term "harmful to minors";
964 repealing s. 267.0722, F.S., relating to the Florida
965 Museum of Black History; amending s. 267.075, F.S.;
966 removing provisions relating to The Grove Advisory
967 Council; amending s. 267.21, F.S.; revising mechanisms
968 by which state funds to assist abandoned African-
969 American cemeteries may be awarded specified grant
970 funds; authorizing the secretary to review a specified
971 list and provide comments to the Legislature;
972 requiring that grant funds meet certain criteria and
973 are used for certain purposes; requiring the secretary
974 to submit a recommended list to the Legislature for
975 funding consideration; defining the term "harmful to
976 minors"; amending s. 267.22, F.S.; revising
977 programmatic duties and make-up of the Historic
978 Cemeteries Program Advisory Council; requiring the
979 council to evaluate proposals for awards of grants
980 relating to abandoned African-American cemeteries;
981 providing an effective date.

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