

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: CS/SB 1524

INTRODUCER: Governmental Oversight and Accountability Committee and Senator Grall

SUBJECT: Department of State

DATE: April 14, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>White</u>	<u>McVaney</u>	<u>GO</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1524 amends chapters 257, 265, and 267, F.S., which govern the Department of State's (DOS) Division of Library and Information Services, Division of Arts and Culture, and Division of Historical Resources. The bill additionally eliminates the \$10 fee required for commissions issued by the Governor for elected officials and notaries.

The bill grants the Secretary of the DOS the ability to comment on recommended recipients for grants administered by the above three divisions. The bill also requires that the grants awarded are expended in compliance with local, state, and federal laws and regulations and are not used for programs that are harmful to minors. "Harmful to minors" is defined as any reproduction, imitation, characterization, description, exhibition, presentation, or representation, in any manner or form, depicting sexual conduct or sexual excitement as those terms are defined in s. 847.001, F.S.

The bill eliminates the following councils or grants:

- The individual artist fellowship grant program.
- The General Program Support and Specific Cultural Program.
- The state touring grant program.
- The cultural endowment program.
- The Grove Advisory Council.
- The Florida International Archive and Repository for the preservation of those public records, as defined in s. 119.011, F.S, manuscripts, international judgments involving

disputes between domestic and foreign businesses, and all other public matters that the department or the Florida Council of International Development deems relevant to international issues.

- The Florida Museum of Black History Task Force, which issued its recommendations on June 28, 2024, and therefore fulfilled its statutory duty.

The bill reconfigures the membership of the Florida Council on Arts and Culture and its statutory duties.

The bill generally eliminates mandatory rulemaking regarding the award of grant funding for specified grants administered by the Division of Arts and Culture.

The bill has an indeterminate fiscal impact on state revenues and expenditures and local government. **See Section V. Fiscal Impact Statement.**

The bill takes effect upon becoming law.

II. Present Situation:

Section 20.10, F.S., creates the Department of State (DOS) within the executive branch, headed by the Secretary of State (Secretary) who serves at the pleasure of the Governor. There are six divisions within the DOS:

- Division of Elections.
- Division of Historical Resources.
- Division of Corporations.
- Division of Library and Information Services.
- Division of Arts and Culture.
- Division of Administration.¹

The Division of Historical Resources, Division of Arts and Culture, and Division of Library and Information Services administer grants pursuant to ch. 265, F.S., and promote programs having substantial cultural, artistic, and indirect economic significance that emphasize American creativity.²

The remainder of the present situation relative to each section of the bill is discussed in the Effect of Proposed Changes section of this bill analysis. Generally, there will be a heading or subheading, a discussion of the present situation, then a discussion of the effect of the proposed changes.

¹ Section 20.10(2), F.S.

² Section 15.18, F.S.

III. Effect of Proposed Change

Commissions for Elected Officers and Notaries

A "commission" is a written authority from a competent source, given to an officer as a warrant for the exercise of the powers and duties of the office to which the officer was commissioned. Public officers, particularly those who receive their office by appointment, are required to be commissioned by the proper authority, which is usually the Florida Governor.

Sections 1-3 repeal ss. 113.01, 113.02, and 113.03, F.S., respectively, to eliminate the \$10 fee charged on each commission of an elected officer and notary by the governor.

Section 4 amends s. 113.051, F.S., to prohibit a commission from being issued by the governor, attested to by the Secretary or bearing the state seal until the oath of office is filed.

Sections 5 and 6 amend ss. 117.01 and 117.225, F.S., respectively, to eliminate references to the \$10 fee repealed by section 1 of the bill.

Section 7 amends s. 117.295, F.S., to update cross-reference.

Public Libraries and State Archives

The Division of Library and Information Services (Division), among its many functions, assists public libraries throughout the state, coordinates with the Division of Blind Services of the Department of Education to provide library services to the blind and physically handicapped persons of Florida, maintains a library for state employees, helps state agencies with relevant research, controls the State Library, and receives materials and funds and coordinates its distribution for the benefit of Floridians.³

With regard to its functions and duties pertaining to funding, the Division:

- May give aid and assistance—financial, advisory, or otherwise—to all school, state institutional, academic, free, and public libraries and to all Florida communities that propose to establish libraries, as to the best means of establishing and administering libraries, selecting and cataloging books, and other facets of library management;⁴
- Must establish operating standards under which libraries will be eligible to receive state moneys;⁵ and
- May accept, receive, administer, and expend any moneys, materials, or any other aid granted, appropriated, or made available by the United States or any of its agencies for the purpose of giving aid to libraries and providing educational library services in Florida.⁶

³ Section 257.04, F.S.

⁴ *Id.*

⁵ Section 257.15, F.S.

⁶ Section 257.12, F.S.

State Librarian and Library Council

The Secretary appoints the State Librarian, who serves as the director of the Division. The State Librarian manages the Division's programs.⁷ The nine members of the State Library Council, all appointed by the Secretary, advise and assist the Division on its programs and activities.⁸

Sections 8 and 10, amend ss. 257.031 and 257.031, F.S., respectively, relating to the education qualifications for the State Librarian and administrative heads of libraries that receive an operating grant,⁹ require graduation from programs accredited by "a national library professional association," rather than a program accredited by the American Library Association.

Sections 8 and 10 amend the education qualifications for the State Librarian and administrative heads of libraries receiving an operating grant so that they only need to complete a program accredited by "a national library professional association," as opposed to the American Library Association. No accreditation program other than the American Library Association appears to exist.

Section 9 amends s. 257.12, F.S., to require the State Library Council to develop recommendations for providing available federal funds to public libraries. The Secretary may then "review and identify the funding recommendation list to identify whether federal grant funds" are expended in compliance with laws and not used to support programs that are appropriate for all ages.

The State and International Archives

The Florida State Archives (Archives), established pursuant to s. 257.35, F.S., is responsible for the preservation of those public records,¹⁰ manuscripts, and other archival material that have been determined by the Division (1) to have sufficient historical or other value to warrant their continued preservation; and (2) have been accepted by the Division for deposit. The Archive conducts, promotes, and encourages research in Florida history, government, and culture.¹¹ The Florida International Archive and Repository (Repository), by comparison, preserves materials, including public records, relevant to *international* issues. To the extent practical, the Repository assists state and local public entities and individuals engaged in international related activities—including research and business.¹²

Section 13 repeals s. 257.34, F.S., which created the Repository, thereby eliminating the Repository.

It is unclear what will happen to the documents and information stored by the Florida International Archive and Repository eliminated in section 13, if and how the files will be

⁷ Section 257.031(1), F.S.

⁸ Section 257.02, F.S.

⁹ Discussed further *infra*.

¹⁰ Defined in s. 119.011(12), F.S., as "all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency."

¹¹ Section 257.35, F.S.

¹² Section 257.34, F.S.

transported to a new storage institution before the International Repository closes, and whether the Florida State Archives or other agency will absorb the responsibilities and expectations of the International Repository.

Division of Library and Information Services Grants

Section 257.14, F.S., explicitly grants the Division authority to adopt administrative rules. The Division administers numerous grants with guidelines containing formation on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures if applicable, and application forms, in rules.

State Aid to Libraries Grant Programs

The State Aid to Libraries grant program encompasses three statutorily designated grants—operating, equalization, and multicounty library grants. An Operating Grant is an annual grant provided to single library administrative units in an amount equal to no more than 25% of all local funds expended by the relevant political subdivision for the operation and maintenance of the library during the second preceding fiscal year.¹³ An Equalization Grant is available to counties that qualify for an operating grant and have limited tax resources.¹⁴ The equalization formula, set forth in statute, was structured to provide an effective supplement to local funds for libraries serving counties with limited local tax resources, especially to those that choose to support their library at exceptionally high levels when compared to local resources and the investment of other counties.¹⁵ A Multicounty Library Grant is available to the administrative unit of a multicounty library that serves a population of 50,000 or more and serves two or more counties, at least one of which qualifies for an equalization grant.¹⁶

Grants are prorated among eligible libraries if the appropriation by the Legislature does not fully fund the State Aid to Libraries Grant Program.¹⁷

Library Cooperative Grants

Library cooperatives are any combination of academic, school, special, state institutional, and public libraries that form a nonprofit “for the purpose of sharing library resources.” The Library Cooperative Grant supports libraries participating in library cooperatives.¹⁸ In order to receive a Library Cooperative Grant, cooperatives must obtain 10 percent matching cash funds, be a nonprofit organization consisting of more than one type of library, headed and administered by a full-time librarian, and in good standing with the DOS.¹⁹

Public Library Construction Grants

¹³ Division of Library & Information Services, Florida Dep’t of State, *State Aid to Libraries Grant Guidelines*, 18-21, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-15322> (last visited Nov. 14, 2024) [hereinafter *State Aid to Libraries Grant Guidelines*].

¹⁴ *State Aid to Libraries Grant Guidelines*, at 4.

¹⁵ *Id.* at 2; s. 257.18, F.S.

¹⁶ Section 257.172, F.S.

¹⁷ *State Aid to Libraries Grant Guidelines*, at 3.

¹⁸ Section 257.41(1), F.S.

¹⁹ Section 257.42, F.S.

Public Library Construction Grants give a maximum of \$500,00 matching funds to a county, municipality, special district, or special tax district for the remodeling or construction of a free, publicly-available library.²⁰ Applications are scored on a scale of a maximum of 100 points, with different points allocated based on the type of building, project narrative and library function in the community, building uses and needs, and community need.²¹

Effects of Proposed Changes

Sections 11, 12, and 14 amend ss. 257.191, 257.23, and 257.42, F.S., respectively, relating to the library construction grants, the applicants of such grants, and the library cooperative grants, respectively, to allow the Secretary to identify whether the grants awarded or expended pursuant to those programs comply with law or are appropriate for all ages.

Memorials, Museums, and Arts and Culture

The Division of Arts and Culture (Division) is Florida's designated state arts agency and oversees programs relating to memorials, museums, and arts and culture. To encourage access to cultural opportunities, the Division provides funding, programs, and resources, including grants for programs and projects in arts in education, local arts agencies, state service organizations, museums, theater, dance, folk arts, literature, media arts, multidisciplinary, music, sponsor or presenter, and visual arts.²²

The Secretary currently serves as the "chief cultural officer of the state;" **section 16**, however, amends s. 265.284, F.S., to change the title to the "chief arts and culture officer."

Florida Council on Arts and Culture

The Florida Council on Arts and Culture (FCOAC) is a 15-member panel consisting of:

- Seven members appointed by the Governor for 4-year terms;
- Four members appointed by the President of the Senate for 2-year terms; and
- Four members appointed by the Speaker of the House of Representatives for 2-year terms.

Appointments must "recognize the need for geographical representation," and should be individuals with:

a substantial history of community service in the performing or visual arts, which includes, but is not limited to, theater, dance, folk arts, music, architecture, photography, literature, and media arts, or in the areas of science, history, or children's museums. In addition, it is desirable that members have successfully served on boards of cultural institutions such as museums and performing arts centers or are recognized as patrons of the arts.^[23]

²⁰ See ss. 288.0656 and 288.06561, F.S.

²² Florida Department of State, Division of Arts and Culture, *Mission*, <https://DoS.fl.gov/cultural/about-us/mission/> (last visited Mar. 30, 2025).

²³ Section 265.285(1)(a), F.S.

Section 17 amends s. 265.285, F.S., to provide that members of the FCOAC cannot receive any financial compensation as an employee or officer of an entity that receives grant funding (unless the entity is a state college or university).

The section also adds a general requirement that the appointed FCOAC representatives demonstrate an interest in and knowledge of the arts, culture, museums, folklore, and cultural heritage conditions. Additionally, five of the Governor's appointments must now qualify as follows:

- A licensed architect with expertise in cultural facilities;
- A member of the Seminole Tribe of Florida;
- A professional public folklorist;
- A university-affiliated public folklorist; and
- A practicing or former professional artist.²⁴

Sections 17 and 19 amend ss. 265.285 and 265.2865, F.S., respectively, to modify the duties of the FCOAC.

Section 17 changes the FCOAC's duty to "encourage arts and cultural development within communities" rather than "assist in the freedom of artistic expression that is essential for the well-being of the arts."

Section 17 also eliminates the FCOAC's involvement in the nomination for the Poet Laureate, an honorary position within the DOS; and duty to promote poetry throughout the state.²⁵ This is replaced with a duty to promote and assist Division programs, "such as the Major John Leroy Haynes Florida Veterans' History Program, the Arts and Culture recognition award program, and the apprenticeship program." The Major John Leory Haynes Florida Veteran's History Program is a Florida Folklife Program within the Division created to "collect and preserve the stories and experiences of Florida's veterans and the State of Florida's military contributions throughout the nation's history."²⁶ The Division's folklorists seek out and identify those veterans willing to share their stories via interview or written submission.²⁷ The "Arts and Culture recognition award program and the apprenticeship program," also added to the bill, do not currently exist in statute and are not created in the bill.

Currently, the FCOAC accepts nominations for persons to be recommended to the Secretary to be named as a members of the Florida Artists Hall of Fame. The Florida Artist Hall of Fame recognizes and honors "those persons, living or dead, who have made significant contributions to the arts in this state, either as performing artists, or practicing artists in individual disciplines."²⁸ Currently, the Secretary names up to four members to the Florida Artists Hall of Fame annually from a list of nominations considered and recommended by the FCOAC.²⁹ Section 19 amends

²⁴ The Governor can meet these specific appointment responsibilities within the existing number of appointments he or she has and still have remaining seats to appoint.

²⁵ See ss. 265.285 and 265.2863, F.S.

²⁶ Section 265.8021(2), F.S.

²⁷ Section 265.8021(3), F.S.

²⁸ Section 265.2865(1), F.S.

²⁹ Section 265.2865(3) and (4), F.S.

s. 265.2865, F.S., to decrease the number of annual nominations from four to three, and to make their nominations permissive rather than required. Consequently, the Secretary “may” (as opposed to shall) annually request an appropriation to carry out the section. This permits the DOS to effectively discontinue the activity if DOS does not accept any further applications.

Florida Folklife Council

The Florida Folklife Council advises and assists the Division and the State Folklorist to encourage statewide public interest in folk arts and folklore; promote Florida folk artists, performers, festivals, folklife projects, and folk resources; recommend projects; and develop proposals for grant applications to support the Florida folklife program.³⁰ Currently, the Secretary appoints the seven members of the Florida Folklife Council.

Section 22 amends s. 265.803, F.S., to make the Florida Folklife Council a sub-council within the FCOAC. As a consequence, the seven members of the council will come from the membership of the FCOAC. Appointed members currently provide a “geographical, ethnic, and professional representation.” This section changes “ethnic” to “cultural and traditional.”

Citizen Support Organizations

Section 265.703, F.S., permits the Division to establish citizen support organizations to provide assistance, funding, and promotional support for the cultural, arts, historical, and museum programs. Citizen support organizations, in this instance, are nonprofit corporations organized under the provisions of ch. 617, F.S., approved by the Division in writing, operated for the direct or indirect benefit of the Division, and organized to perform specific tasks in the best interests of the state.

Section 21 amends s. 265.703, F.S., to permit citizen support organizations to support international and intergovernmental programs as well as the currently permitted support for cultural, historical, and museum programs.

Grants, generally

The Florida Arts and Culture Act (Act) is set forth in ss. 265.281-265.709, F.S., to provide state support for, and to gain national and international recognition of, the efforts, works, and performances of Florida artists, art agencies, museums, and nonprofit organizations.³¹ The Division must administer and oversee all programs authorized by the Act and may adopt rules to do so.³² This includes:

- Arts and culture grants to support science museums, youth and children’s museums, historical museums, local arts agencies, Florida artists, state service organizations, and organizations that have cultural program activities;³³
- An endowment to provide matching funds to local sponsoring organizations that engage in programs directly related to cultural activities;³⁴ and

³⁰ Section 265.803, F.S.

³¹ Section 265.282, F.S.

³² Section 265.284(3)(j), F.S.

³³ Section 265.286, F.S.

³⁴ Sections 265.601-265.606, F.S.

- Grants to counties, municipalities, and qualifying nonprofit corporations for the acquisition, renovation, or construction of cultural facilities.³⁵

Generally, eligibility for grants administered by the Division requires the applicant:³⁶

- Be in good standing with the Division and the DOS at the time of the application;
- Be a public entity or a Florida non-profit, tax exempt corporation that is registered and in active status with Florida's Division of Corporations;
- Have at least one year of experience in arts and cultural programming; and
- Be registered as a vendor with the Department of Financial Services to whom they provide their most recent Federal 990 form.

Section 265.284, F.S., explicitly requires the DOS to adopt rules. Each program must be governed by guidelines, adopted as rules, which contain information on eligibility requirements, application review procedures, evaluation and funding criteria, applicable grant administration procedures, and application forms.

Sections 18 and 19, for grants administered by the Division of Arts and Culture, eliminates review panels that evaluate grant applications or the grants themselves and empowers the Secretary to review and make comments on the recommended list of grants determined by review panels and the FCOAC.

Members of review panels are appointed by the Secretary and seven of the members of the FCOAC are appointed by the Governor.

Similar review panels and bodies, however, continue to exist for the grants administered by the DOS's other divisions—the Division of Library and Information Services and Division of Historical Resources.

Arts and Culture Grants

Section 265.286, F.S., is the art and cultural grants statute and directs the Division of Arts and Culture to adopt rules establishing eligibility requirements, procedures, and panel review processes, including criteria for reviewing grant applications.³⁷ The arts and cultural grants statute, in part, speaks to four grant programs: the General Program Support, the Specific Cultural Program, the state touring program, and individual artist fellowship program grants.

General Program Support and Specific Culture Program Grants

Section 265.286, F.S., creates:³⁸

- The General Program Support Grant program, which provides funding to directly support arts and cultural programming, including museums and local arts organizations, in statutorily

³⁵ Section 265.701(1), F.S.

³⁶ Division of Arts & Culture, Florida Dep't of State, *General Program Support Grant Guidelines*, 5, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-15677> (last visited Nov. 13, 2024) [hereinafter *General Program Support Grant Guidelines*].

³⁷ Section 265.286(6), F.S.

³⁸ Section 265.286(3) and (5), F.S.; see rule 1T-1.036(2), F.A.C.

authorized disciplines that “include, but are not limited to, music, dance, theater, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, programs of museums, and other such allied, major art forms;”³⁹ and

- The Specific Cultural Program Grant, which provides up to \$25,000 to fund a specific cultural project, program, exhibition, or series that furthers the state’s cultural objectives, has four permissible proposal types established in rule:
 - Arts in Education projects that promote arts and culture in education;
 - Discipline-Based cultural or artistic projects that further the state’s cultural objectives through a pre-approved list of disciplines;
 - Underserved Cultural Community Development projects that assist with the development of underserved cultural organizations; or
 - Artist Projects that provide public benefit through the creation or presentation of new artistic work.⁴⁰

The review process for both the General Program Support and Specific Cultural Program grants involves four steps of review, beginning with Division staff who determine eligibility before passing eligible applications to review panels.⁴¹

After the staff’s eligibility determination, review panels provide the first substantive review of applications; the panels are made up of an unspecified number of volunteer professionals appointed by the Secretary of State for one-year terms. Panels “consist of practicing artists or other professionals actively involved in the specific discipline or program for which the panel has been appointed.” Statute directs the Division to adopt rules establishing scoring criteria for the review panels. The panels must provide a forum for public comments before voting on an application. The panel then forwards its recommendations to the FCOAC.

The FCOAC has the power to amend and recalculate the review panels’ recommendations and must provide a forum for public comments before voting on any application. The FCOAC reviews the review panel’s recommendations before merging the recommendations and ranking them in a list provided to the Secretary.⁴² The Secretary reviews and approves (but cannot change) the ranked lists from the FCOAC and includes those lists in the DOS’s legislative budget request submitted to the Legislature.⁴³

State Touring Program Grants

State Touring Program Grants are “used to provide performances, activities, and exhibitions by Florida artists to communities,”⁴⁴ with a “selection procedure that ensures the maximum

³⁹ Sections 265.286(5)(b) and 265.283(1), F.S.

⁴⁰ Division of Arts & Culture, Florida Dep’t of State, *Specific Cultural Project Grant Guidelines*, 6, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-15678> (last visited Mar. 31, 2024) [hereinafter *Specific Cultural Project Grant Guidelines*].

⁴¹ *General Program Support Grant Guidelines*, 23-26; *Specific Cultural Project Grant Guidelines*, 30-33.

⁴² Section 265.286, F.S.; *General Program Support Grant Guidelines* at 25; *Specific Cultural Project Grant Guidelines* at 32.

⁴³ Section 265.286(3), F.S.

⁴⁴ Section 265.283(16), F.S.

opportunity for Florida artists and cultural groups.”⁴⁵ The program⁴⁶ creates an Artist Roster of approved artists chosen by the Secretary, as recommended by the FCOAC and a multidisciplinary panel which selects artists based on criteria set forth in the guidelines required by s. 265.286, F.S., and incorporated in Rule 1T-1.037(2). The program further provides Presenter Fee Support to any not-for-profit organization or unit of city, county, or state government in Florida, including school boards, to host an artist on the Artist Roster.⁴⁷ The State Touring Presenter Guidelines,⁴⁸ incorporated by the relevant administrative rule,⁴⁹ provide for how much financial support an applicant may qualify, but not criteria or scoring on how applicants are ranked.

The reviewing process for the State Touring Roster Guidelines is essentially identical to that for General Program Support and Specific Cultural Program grants; the primary difference being that panel members are explicitly described in rule as a “multidisciplinary panel.”⁵⁰

Individual Artist Fellowship Program

The Division is statutorily charged with administering an individual artist fellowship program with a “selection procedure that identifies individual artists of exceptional talent and demonstrated ability.” The selection procedure, adopted in rule, “identifies individual artists of exceptional talent and demonstrated ability.”⁵¹ Applicants are scored by a review panel based on artistic excellence, tradition and authenticity, and community impact and engagement.⁵² The Division distributes grant funding as provided by rule, which provides that the Individual Artist Fellowship Program “fosters the development of individual artists.”⁵³ Funding is limited to Florida residents practicing in pre-determined disciplines. Fellowships are in the amount of \$2,500 or \$5,000, in order of score, until funds are depleted.⁵⁴ Grant recipients are required to submit a grant report that details expenditures and activities during the grant period.⁵⁵

⁴⁵ Section 265.286(5)(c), F.S.

⁴⁶ Rule 1T-1.037(1), F.A.C.

⁴⁷ Division of Arts and Culture, Florida Dep’t of State, *State Touring Artist Roster Guidelines*, <https://www.flrules.org/Gateway/reference.asp?No=Ref-01033> (last visited Nov. 14, 2024) [hereinafter *State Touring Artist Roster Guidelines*].

⁴⁸ Division of Arts and Culture, Florida Dep’t of State, *State Touring Presenter Guidelines*, <https://www.flrules.org/Gateway/reference.asp?No=Ref-01034> (last visited Nov. 14, 2024) [hereinafter *State Touring Presenter Guidelines*].

⁴⁹ Rule 1T-1.037(3), F.A.C.

⁵⁰ *State Touring Artist Roster Guidelines*; *State Touring Presenter Guidelines*.

⁵¹ Section 265.286(5)(d), F.S.; Rule 1T-1.038(1), F.A.C.

⁵² Rule 1T-1.038(4), F.A.C.

⁵³ Section 265.286(5)(d), F.S.; Rule 1T-1.038(1), F.A.C.

⁵⁴ Rule 1T-1.038(2), (3), and (6), F.A.C.

⁵⁵ Rule 1T-1.038(8), F.A.C.

Effects of Proposed Changes

Consolidation of Art and Culture Grants

Section 18 amends s. 265.286, F.S., relating to art and cultural grants, to consolidate the General Program Support, Specific Cultural Program, individual fellowship, and touring grant programs into one larger program. This consolidation also eliminates each grant's described purposes, award eligibility, and criteria for award.

Section 15 also deletes a definition of "state touring program grants." This provides the Division broader discretion in administering grants supplementing financial support for artistic and cultural activities that are appropriate for all age groups. Programs receiving funds cannot be harmful to minors. The changes additionally require the FCOAC to consider whether applications are for programs that are harmful to minors when advising the secretary about grant awards.

Section 15 and 18 delete the Division's required administration of the underserved arts community assistance program grant, defined as a grant used by qualified organizations under the Rural Economic Development Initiative, pursuant to ss. 288.0656 and 288.06561, for the purpose of economic and organizational development for underserved cultural organizations. It is unclear, however, if this grant is currently being administered.

Section 18 allows the Secretary to re-distribute grant monies returned to applicants on his or her list. Previously, the applicants had to be "approved," but this requirement is eliminated in the bill. The bill additionally provides provisions that prohibit an applicant seeking a recommendation from a reviewer from having have a substantial interest in any of its requested recommendations.

Review Panels for Art and Culture Grants

Review panels currently serve in almost all grant application review processes as the first body that provides a substantive review of the applications. They utilize grading rubrics and scoring requirements set forth by statute or rule. **Sections 15, 17, and 18** delete references to and the definition of "panels" for Arts and Culture Grants. Section 18, specifically, amends s. 265.286, F.S., to delete the use of qualified review panels in the process of determining the award of Art and Culture Grants and instead provides for "reviewers" the Secretary may appoint. While these reviewers appear to serve a similar purpose as the previously required review panels, the bill eliminates:

- Required qualifications and standards for panel members or reviewers, such as the requirement for panelist to come from relevant disciplines;
- Statutory language mandating the Division to create rules providing rubrics and scoring the panel or reviewers must us; and
- One year term limits.

The bill still requires the Division to administer awards to "activities and programs that meet the professional standards or standards of authenticity of significant merit."

2025-2026 General Appropriations Funding List

Effective upon the bill becoming law, **section 18** requires the Secretary to request, and the council to submit, an updated list of activities and programs that comply with the updated grant requirements as provided in the bill. After reviewing and making comments to the grant awardee recommendations, the secretary must submit a recommended list to the Legislature for funding consideration in the General Appropriations Act for fiscal year 2025-2026. The FCOAC and Secretary may provide another list for programs and activities that support America250 and celebrate the 50th anniversary of the signing of the Declaration of Independence. This subsection expires on July 1, 2026.

Rural Communities

As further discussed *infra*, many of the grant programs eliminated (or combined into one grant) by **sections 15 and 18** are ones that specifically target, or provide special consideration and allowances for, rural communities.

Cultural Facilities Grants⁵⁶

The Cultural Facilities Grants program coordinates support and funding of renovation, new construction, or acquisition of “cultural facilities.”⁵⁷ Eligible applicants must use or plan to use the facility to conduct arts and cultural programming and have unrestricted use of the land and buildings associated with the project, appropriate matching funds, and the support of local officials.

Section 20 amends s. 265.701, F.S., to discontinue the use of grant funds to acquire a cultural facility. The entities may still use the funds to renovate or construct a facility. Additionally, the section removes the requirement that unfunded grant applications that are approved and recommended by the Secretary be retained on the projects list for a year. The changes additionally require the Secretary to consider whether the program applying for grant money is appropriate for all ages and complies with federal, state, and local laws. It appears this empowers the Secretary to change the list recommended by the FCOAC.

Effective upon the bill becoming law, the Secretary shall request, and the council shall submit, an updated list of activities and programs that comply with the requirements of this section. After reviewing and making comments, the secretary shall submit a recommended list to the Legislature for funding consideration in the General Appropriations Act for fiscal year 2025-2026. The FCOAC and Secretary may provide another list for programs and activities that support America250 and celebrate the 50th anniversary of the signing of the Declaration of Independence. This subsection expires on July 1, 2026.

⁵⁶ Numerous states have similar grant or funding programs or mechanisms, including but not limited to Massachusetts (MASS. GEN. LAWS ch. 23G, § 42), Ohio (OHIO REV. CODE ANN. §§ 154.23, 123.201, and 3381.07 (West 2025)), Vermont (VT. STAT. ANN. tit. 24, § 5604), Washington (WASH. REV. CODE § 23.63A.750), Nevada (NEV. REV. STAT. § 268.450), New Jersey (N.J. STAT. ANN. § 34:1B-389 (West 2025)), and New Hampshire (N.H. REV. STAT. ANN. § 19-A:13).

⁵⁷ Note that cultural facilities are not defined in statute, regulation, or materials referenced and incorporated into regulation.

Historical Resources

The Division of Historical Resources (Division), led by a director who serves at the pleasure of the Secretary, is charged with encouraging the identification, evaluation, protection, preservation, collection, conservation, and interpretation of information about Florida's historic sites and properties or objects related to Florida's history and culture.⁵⁸ This includes cooperating with federal and state agencies, local governments, and private entities to accomplish its duties.

The Division, in relevant part:

- Accepts and administers funding received by public and private sources and advances these funds and other grants on a quarterly basis;
- Enters into agreements for awarding grants or other contracts with any person, firm, performing arts company, educational institution, arts organization, corporation, or governmental agency as may be necessary or advisable;
- Consults with and advises individuals, groups, or public entities with the acquisition, acceptance, display, and care of fine art;
- Sponsors performances and exhibits;
- Promotes and encourages the study and appreciation of arts and culture; and
- Advertises arts and cultural programs available throughout the state.⁵⁹

The Florida Historical Resources Act⁶⁰ was established to preserve archaeological sites and objects of antiquity for the public benefit.⁶¹ The Act recognizes Florida's historic properties as an important legacy to be valued and conserved for present and future generations. Accordingly, it is Florida's policy to lead, assist, administer, and encourage public entities and private citizens to preserve the state's historic environment and resources.⁶²

The Division director is advised by the Florida Historical Commission, which, in addition to several other advising roles, is specifically charged with advising and providing recommendations on awards of special category historic preservation grant-in-aid administered by the Division.⁶³ Seven members of the Commission are appointed by the Governor in consultation with the Secretary of State; two are appointed by the President of the Senate; and two are appointed by the Speaker of the House of Representatives.⁶⁴

Sections 267.031, 267.0617, and 267.21, F.S., allows the Division to adopt rules pursuant to the Administrative Procedures Act. Each program must be governed by guidelines which contain information on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures if applicable, and application forms.

⁵⁸ Florida Department of State, Division of Historical Resources, *About*, <https://dos.fl.gov/historical/about/> (last visited Mar. 25, 2025). *See also*, s. 267.031, F.S.

⁵⁹ Section 265.284, F.S.

⁶⁰ Sections 267.011-267.1736, F.S.

⁶¹ Section 267.14, F.S.

⁶² Section 267.061(2)(a), F.S.

⁶³ Section 267.0612(6)(c), F.S.

⁶⁴ Section 267.0612(1)(a)1., F.S.

The Grove Advisory Council

The Call/Collins House, commonly known as “The Grove,” is a museum located in Tallahassee used to educate the public on the lives and accomplishments of The Grove’s first owner and builders of the estate, Richard Keith Call, Florida’s last Territorial Governor; as well as LeRoy Collins, Florida’s 33rd Governor, who, with his wife, Mary Call Darby Collins (a descendant of Call’s), were the last private owners of The Grove. The Grove is now listed on the National Register of Historic Places.⁶⁵

The Grove Advisory Council advises the Division on the operation, maintenance, preservation, and protection of the Grove’s house, grounds, cemeteries, and all other structures thereon; the furniture and furnishing located therein; any changes in the architecture, structure, furnishings, and landscaping; and the design and development of interpretive programs and exhibits in connection therewith.⁶⁶ Five members of the council are appointed by the Secretary; the remainder of the council membership is made up of the Secretary of Management Services, or his or her designee; the director of the Division; and a direct descendent of Mary Call Darby Collins. The members appointed by the Secretary consist of individuals with curatorial and museum expertise, professional architectural historic preservation expertise, and professional landscaping experience. Council members serve without compensation but receive per diem for travel expenses, and the council receives clerical support from the Division.⁶⁷

Section 25 repeals s. 267.075, F.S., to eliminate the Grove Advisory Council.

Florida Museum of Black History Task Force

In 2023, the Legislature created the Florida Museum of Black History Task Force to advise the Division on the planning, construction, operation, and administration of the yet established Florida Museum of Black History. The Florida Museum of Black History is a yet to be established museum that is supposed to be a self-sustaining museum that functions on the revenues of the museum and meeting rooms, banquet facilities, and performing arts theater therein.⁶⁸ After its tenth meeting on June 28, 2024, the Task Force issued its final report, thereby completing the purpose of the Task Force.⁶⁹

Section 25 repeals s. 267.0722, F.S., to eliminate the Florida Museum of Black History Task Force.

The Historic Preservation Grant Program

The Division administers the Historic Preservation Grant Program pursuant to s. 267.0617, F.S., which authorizes grants of moneys appropriated by the Legislature and other contributions for

⁶⁵ Section 267.075(1), F.S.; Dep’t of State, *Richard Kieth Call*, <https://DoS.fl.gov/florida-facts/florida-history/florida-governors/richard-keith-call/#:~:text=Call%20led%20the%20Florida%20militia,and%20the%20national%20business%20depression> (last visited Mar. 19, 2025).

⁶⁶ Section 267.075(2), F.S.

⁶⁷ Section 267.075(3), F.S.

⁶⁸ Section 267.0722, F.S.

⁶⁹ *Id.*; Division of Historical Resource, Dep’t of State, *The Florida Museum of Black History Task Force*, <https://DoS.fl.gov/historical/museums/blackhistorytaskforce/> (last visited Mar. 18, 2025).

the purpose of historic preservation.⁷⁰ The Division adopts rules setting forth the criteria applied by the Florida Historical Commission and grant review panels in reviewing and recommending grant application.⁷¹ Grant review panels are appointed by the Secretary and chaired by a member or designee of the Florida Historical Commission. Grant money is appropriated from the Historical Resources Operating Trust Fund.⁷²

There are two relevant types of Historic Preservation Programs:

- Small Matching Grants, which provide matching funding to assist local, regional, and state-wide efforts to preserve significant historic and archaeological resources and promote knowledge and appreciation of the history of Florida.⁷³
- Special Category Grants, which provide funding to assist major local, regional, and state-wide efforts to preserve significant historic and archaeological resources, to assist major archaeological excavations or research projects, and assist in the development and fabrication of major museum exhibits that will promote knowledge and appreciation of the history of Florida.⁷⁴

Section 23 amends s. 267.0612, F.S., to consolidate the grant review processes for the special category historic preservation grants-in-aid under the Historic Preservation Grant Program provisions of s. 267.617, F.S. This does not represent a change in law.

Section 24 amends s. 267.0617, F.S., relating to the Historic Preservation Grant Program, to remove reference to the Historical Resources Operating Trust Fund, which is the current fund for all money received and paid by the Historic Preservation Grant Program. This section additionally allows the Secretary to review and provide comments on the recommended list of grants-in-aid recipients. Funds awarded must be expended in compliance with law and regulation and cannot be used for activities or programs that are appropriate for all ages.

Abandoned African-American Cemeteries Program

The Division administers the Historic Cemeteries Program, directed by the State Historic Preservation Officer, and addresses historic and abandoned cemeteries throughout the state—including coordinating with the University of South Florida's Black Cemetery Network to facilitate the inclusion of abandoned African-American cemeteries in the Black Cemetery Network.⁷⁵ Subject to legislative appropriations, the Historic Cemeteries Program provides grants to research institutions, colleges and universities, non-profits, and local governments to assist efforts to protect, preserve, repair, and restore abandoned African-American cemeteries in the State of Florida.⁷⁶ Members of the Historic Cemeteries Program Advisory Council serve as the application review panel for the Abandoned African-American Cemeteries Grant program. The Historic Cemeteries Program Advisory Council consists of nine members, all appointed by the Secretary.⁷⁷

⁷⁰ Section 267.0617, F.S.

⁷¹ Section 267.0617(5), F.S.

⁷² Section 267.0617(3), F.S.

⁷³ Section 267.0617(2), F.S.; Rule 1A-39.001(3)(a), F.A.C.

⁷⁴ Section 267.0617(3), F.S.; Rule 1A-39.001(3)(b), F.A.C.

⁷⁵ Section 267.21(1), F.S.

⁷⁶ Section 267.21, F.S.; Rule 1A-39.001(3)(C), F.A.C.

⁷⁷ Section 267.22, F.S.

Sections 27 and 28 amend ss. 267.21 and 267.22, F.S., respectively, which in relevant part address the abandoned African-American cemeteries grant program and corresponding task force.

As to the abandoned African-American cemeteries grant program, section 27 allows the Secretary to review recommended grant recipients and provide comments on whether the grant awardee program is harmful to minors and complies with federal, state, and local laws; and section 28 makes a conforming change.

Section 27 requires the council to review each application and submit a list to the Secretary of recommended awardees. The recommended list, with any comments made by the Secretary, is submitted as a part of the DOS legislative funding request.

Section 28 amends s. 267.22, F.S., relating to the Historic Cemeteries Program Advisory Council, to codify the review requirements currently promulgated by the DOS in their guidelines. Section 28 also reorganizes the Historic Cemeteries Program Advisory Council (Advisory Council) as a sub-council within the Florida Historical Commission, who may become members of the Advisory Council; and provides that the Advisory Council only needs five members (as opposed to the current nine required) who would now be appointed by the Florida Historical Commission (as opposed to the Secretary). Terms are shortened from four to two years. Current members of the Advisory Council may serve out the rest of their turn.

Effective Date

Section 29 provides that the bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None identified.

C. Trust Funds Restrictions:

None identified.

D. State Tax or Fee Increases:

None identified.

E. Other Constitutional Issues:

Single Subject

Article III, section 6 of the State Constitution requires every law to “embrace but one subject and matter properly connected therewith.” The purpose of this requirement is to prevent logrolling, which combines multiple unrelated measures in one bill in order to secure passage of a measure that is unlikely to pass on its own merits.⁷⁸ The Florida Supreme Court has held that the single subject clause contains three requirements: first, each law must embrace only one subject; second, the law may include any matter that properly connected with the subject; and third, the subject must be briefly expressed in the title.⁷⁹ The subject matter to consider when determining whether a bill embraces a single subject is the bill title’s subject, and the test is whether the bill is designed to accomplish separate objectives with no natural or logical connection to each other.⁸⁰

The bill relates to fees paid for commissions issued by the Governor, in addition to the DOS grants administered by, and officers and bodies existing in, the Division of Library and Information Services, Division of Arts and Culture, and Divisions of Historical Resources. While the Secretary is required to attest to these commissions and is appointed by the Governor, this may not be sufficient to establish a natural or logical connection to the rest of the bill to meet the single subject requirement in the State Constitution.

Agency Action and Rulemaking

Constitutional law holds state and agency action to an arbitrary and capricious standard.⁸¹ Arbitrary and capricious means “founded on prejudice or preference rather than on reason or fact.”⁸² Agency action passes the arbitrary and capricious standard “only if it rests on a consideration of the relevant factors,” but is unlawful if it “entirely failed to consider an important aspect of the problem.”⁸³ A rule is arbitrary if it is not supported by logic or the necessary facts; a rule is capricious if it is adopted without thought or reason or is irrational.⁸⁴

Overall, the bill decreases the DOS’ required rulemaking and eliminates or reduces current statutory criteria for the DOS’ award of state funds. These changes may allow the DOS to award grants in an arbitrary fashion, should the DOS make such awards without a clear standard outlined in rule or statutory guidelines.

Accordingly, while the present bill eliminates required rule making, this may constitutionally be problematic because it may lead to arbitrary and capricious decisions.

⁷⁸ *Santos v. State*, 380 So.2d 1284 (Fla. 1980).

⁷⁹ *Franklin v. State*, 887 So. 1063, 1072 (Fla. 2004).

⁸⁰ *See Ex parte Knight*, 41 So. 786 (Fla. 1906); *Brd. of Public Instruction of Broward Cnty. v. Doran*, 224 So.2d 693 (Fla. 1969).

⁸¹ FLA. CONST., Art. IX, s. 9; U.S. CONST. amend. XIV, s. 1.

⁸² ARBITRARY, Black’s Law Dictionary (11th ed. 2019).

⁸³ *Bidi Vapor LLC v. U.S. Food & Drug Admin.*, 47 F.4th 1191, 1202 (11th Cir. 2022)

⁸⁴ Section 120.52(8), F.S.

Review panels currently serve in almost all grant application review processes as the first body providing substantive review. They utilize grading rubrics and scoring requirements set forth by statute or the DOS in statutorily required rules. The bill not only substitutes these review panels but also eliminates the statutory requirement to adopt rules to establish a scoring system formula for such determinations. This may also result in grant applicants not knowing the criteria considered in the review of their applications, which could raise constitutional due process concerns.

In particular, section 18, amending s. 265.286, F.S., lists criteria that the Division may consider in awarding grants, namely including allowable and nonallowable costs, program quality, artistic quality, potential public exposure and benefit, professional excellence, fiscal stability, state or regional impact, but the permitted criteria is relatively broad and subject to personal interpretation.⁸⁵ However, these permitted criteria may not provide enough guidance to be implemented without rule, and are ultimately permissible rather than required criteria. This may result in arbitrary and capricious grant awards by the DOS.

Excess Delegation of Authority to Determine or Override Appropriations

The Legislature is the sole branch of government with the inherent power to create laws.⁸⁶ The State Constitution vests the “power of the purse” in the Legislature by granting it exclusive and plenary power to raise and appropriate state funds. The power to appropriate funds, therefore, rests with the Legislature alone.⁸⁷

On lines 224-231, the Secretary is granted authority to “review the funding recommendation list to identify whether federal grant funds awarded under this section (to libraries) are expended in compliance with all federal, state, and local laws and regulations and are used only for activities and programs that are not harmful to minors.”

Lines 272-276, 306-309, 332-335, 482-485, 648-651, 789-792, and 931-934 grant similar authority to the Secretary for the various grants funded by state funds and administered by the DOS. The placement of this language is consistently in provisions regarding the recommended lists prior to submission to the Legislature.

The Legislature may not delegate to the secretary the power to effectively veto or withhold the grants. However, the use of the terms “awarded” and “expended” may suggest that the Secretary can change the grants the Legislature already “approved” for funding. If this language does apply to the list of grantees selected as a part of the

⁸⁵ The bill provides that “The division may adopt rules establishing [e]ligibility criteria for the award of grants, which may include, but need not be limited to, application requirements, allowable and nonallowable costs, program quality, artistic quality, creativity, potential public exposure and benefit, the ability to properly administer grant funds, professional excellence, fiscal stability, state or regional impact and economic development, matching requirements, and other requirements to further the purposes of this act.”

⁸⁶ FLA. CONST. art., III, s. 1. *See also* FLA. CONST. art. II, s. 3.

⁸⁷ FLA. CONST. art. VII, s. 1(c, d); *Graham v. Haridopolos*, 75 So. 3d 315, 318 (Fla. 1st DCA 2011), approved, 108 So. 3d 597 (Fla. 2013); *Chiles v. Child. A, B, C, D, E, & F*, 589 So. 2d 260, 267 (Fla. 1991) (explicitly providing that the Legislature and not the executive branch is entrusted with appropriating state funds).

Legislature’s decision on appropriations, these provisions empowering the Secretary may be violative of the Legislature’s power to appropriate (subject only to gubernatorial veto).

In addition, if the provisions are applied to deny a legislative appropriation, the grant applicant must be given some level of due process to appeal the Secretary’s decision. This is particularly important when the Legislature has taken action to fund a particular applicant, notwithstanding whether a state or local law applies. No such process is established or discussed in the bill.

Lines 585-598 and 667-680, relating to arts and cultural grants, require the FCOAC to submit an updated list to the legislature for FY 2025-26 that comply with the requirements of this act. This may be problematic to the extent that the Legislature bases its funding decisions on the originally submitted list and the Secretary attempts to fund the grants based on a newly submitted list that was not contemplated by the Legislature during the appropriations process. Under ch. 216, F.S., the Secretary had the opportunity to submit such a list in the agency legislative budget request. Moreover, the DOS continues to have the authority to amend its legislative budget request. Thus, this language, in practical terms, merely grants the FCOAC the additional opportunity to submit a specific list.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None identified.

B. Private Sector Impact:

It is difficult to identify how the private sector may be impacted. Many administrative rules that will no longer be required provide ways for grant applicants to demonstrate return on investment. It is unclear how, without such rules, the DOS will continue to monitor the return on investment.

C. Government Sector Impact:

The fiscal impact of a majority of the bill on state and local governments is indeterminate at this time. Fees collected by the DOS for commissions under 113.01, F.S., for Fiscal Year 2024-2025 were \$22,765 and were deposited into the General Revenue Fund.⁸⁸

VI. Technical Deficiencies:

At lines 226-227, the bill allows the Secretary to “review *and identify* the funding recommendations on the list *to identify*...”⁸⁹ This appears to be a drafting error. Moreover, it is unclear to whom the identifications are sent to, how they are sent, and the results of such identifications.

⁸⁸ Email from Katherine Woodby, Legislative Analyst, Dep’t of State, to Mackensee White, Attorney, the Florida Senate (Apr. 2, 2025) (on file with the Senate Committee on Governmental Oversight and Accountability).

⁸⁹ (Emphasis added.)

At lines 379-384, the language appears to require each appointed member to be a public representative with demonstrated interest in all five areas of arts, culture, museums, folklore, and cultural heritage traditions. The Legislature may want to change the ‘and’ to an ‘or’ so qualifications for the FCOAC members are public representatives with demonstrated interests in any of the areas of interest.

Section 17 (lines 431-437) amends the FCOAC’s duties to include promotion of the Arts and Culture Recognition award and apprenticeship programs. These programs do not exist in statute. The Legislature may wish to codify the Arts and Culture Recognition award and apprenticeship programs and provide the DOS the statutory authority to administer these programs. This would provide a statutory basis for the FCOAC’s promotion of the programs.

Throughout the various grant program implementing statutes, the bill permits, rather than mandates, the DOS to adopt administrative rules to implement the application and review process. With this change, and assuming the DOS repeals any rules that are merely permissive, it is unclear how reviewers’ recommendations and Council recommendations will be made and applied consistently across the applicants.

VII. Related Issues:

Effect on Rural Communities

Most of the specific statutory language requiring, referencing, or mandating rules that provide special considerations or focuses on rural communities for the purpose of grants administered by the Division of Arts and Culture are eliminated in the bill.

The Rural Economic Development Initiative (REDI) recognizes that rural communities and regions continue to face extraordinary challenges in their efforts to significantly improve their economies, specifically in terms of personal income, job creation, average wages, and strong tax bases. Among other things, REDI is responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems that affect the fiscal, economic, and community viability of Florida’s economically distressed rural communities.

Section 22 amends s. 265.283, F.S., to delete the definitions for the state touring grant and underserved arts community assistance program grants. This presumably ends the state touring program and underserved arts community assistance program grants.

Both the General Program Support and Specific Cultural Program grants give areas involved in the REDI either a complete waiver of matching fund requirements (General Program Support grant), or a decrease in the percentage of the matching required (Specific Cultural Program grants).⁹⁰ These two grants are eliminated by the bill.

⁹⁰ *General Program Support Grant Guidelines* at 17; *Specific Cultural Grant Guidelines* at 7.

The state touring program grants and underserved community⁹¹ grants mainly support rural communities. For touring grants in particular, underpopulated counties can request twice as much fee support as other counties, and underpopulated counties are given priority.

VIII. Statutes Affected:

This bill repeals the following sections of the Florida Statutes: 113.01, 113.02, 113.03, 257.34, and 267.0722.

This bill substantially amends the following sections of the Florida Statutes: 113.051, 117.01, 117.225, 117.295, 257.031, 257.12, 257.17, 257.191, 257.23, 257.42, 265.283, 265.284, 265.285, 265.286, 265.2865, 265.701, 265.703, 265.803, 267.0612, 267.0617, 267.075, 267.21, and 267.22.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Governmental Oversight and Accountability on April 1, 2025:

- Amends language giving the Secretary of DOS the authority to alter lists of recommended grant awardees given to the Legislature to instead provide comments on the list;
- Uses and defines “harmful to minors” to replace “appropriate for all ages” language; and
- Adds sections amending or repealing ss. 113.01, 113.02, 113.03, 113.051, 177.01, 177.225, and 177.295, F.S., to eliminate a \$10 fee on commissions issued by the Governor.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

⁹¹ Underpopulated counties refer to counties with a population of 75,000 or less in the 2010 Census. Currently, 31 Florida counties qualify as an underpopulated county. These counties are Baker, Bradford, Calhoun, Columbia, DeSoto, Dixie, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Holmes, Jackson, Jefferson, Lafayette, Levy, Liberty, Madison, Monroe, Nassau, Okeechobee, Putnam, Suwannee, Taylor, Union, Wakulla, Walton, and Washington.