

Fiscal Year 2025-2026 Conforming Bill  
Relating to the Department of State

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1                   A bill to be entitled  
2           An act relating to the Department of State; amending s.  
3           257.12, F.S.; specifying the State Library Council as the  
4           review panel for recommending public library funding  
5           recommendations, giving the Secretary of State the  
6           authority to review and edit such recommendations; amending  
7           s. 257.191, F.S.; providing requirements for the Secretary  
8           of State on the use of library construction grants;  
9           amending s. 257.23, F.S.; providing requirements for the  
10          Secretary of State on the use of library operation grants  
11          provided to counties; amending s. 257.42, F.S.; providing  
12          requirements for the Secretary of State on the use of  
13          library cooperative grants; amending s. 265.283, F.S.;  
14          revising definitions related to state arts and culture  
15          programs; amending s. 265.284, F.S.; revising terms related  
16          to the chief cultural officer; amending s. 265.286, F.S.;  
17          revising conditions for the review and provision of state  
18          arts and cultural program grants, providing additional  
19          requirements for arts and cultural program grants awarded  
20          in a specified fiscal year, providing an expiration date;  
21          amending s. 265.701, F.S.; revising conditions for the  
22          review and provision of state arts and cultural facilities  
23          grants, providing additional requirements for arts and  
24          cultural facilities grants awarded in a specified fiscal  
25          year, providing an expiration date; amending 267.0612,  
26          F.S.; revising the responsibilities of the Florida  
27          Historical Commission; amending s. 267.0617, F.S.; revising

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28 conditions for the review and provision of historic  
29 preservation program grants; amending s. 267.21, F.S.;  
30 revising conditions for the review and provision of state  
31 grants under the Historic Cemeteries Program; amending s.  
32 267.22, F.S.; revising the creation and membership of the  
33 Historic Cemeteries Program Advisory Council; providing an  
34 effective date.

35

36 Be It Enacted by the Legislature of the State of Florida:

37

38 Section 1. Section 257.12, Florida Statutes is amended to  
39 read:

40 257.12 Division of Library and Information Services  
41 authorized to accept and expend federal funds.—

42 (1) The Division of Library and Information Services of the  
43 Department of State is designated as the state library  
44 administrative agency authorized to accept, receive, administer,  
45 and expend any moneys, materials, or any other aid granted,  
46 appropriated, or made available by the United States or any of  
47 its agencies for the purpose of giving aid to libraries and  
48 providing educational library service in the state.

49 (2) The division is authorized to file any accounts  
50 required by federal law or regulation with reference to  
51 receiving and administering all such moneys, materials, and  
52 other aid for said purposes; provided, however, that the  
53 acceptance of such moneys, materials, and other aid shall not

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54 | deprive the state from complete control and supervision of its  
55 | library.

56 |       (3) All public libraries are encouraged to adopt an  
57 | Internet safety education program, including the implementation  
58 | of a computer-based educational program, which has been endorsed  
59 | by a government-sanctioned law enforcement agency or other  
60 | reputable public safety advocacy organization and is designed  
61 | for children and adults. The purpose of the Internet safety  
62 | education program is to promote the use of prudent online  
63 | deportment and broaden awareness of online predators. The  
64 | program must be interactive and age-appropriate. Each library  
65 | shall annually report to the division the annual number of  
66 | program participants who complete the Internet safety education  
67 | program. By April 1, 2010, the division shall reward those  
68 | libraries in the program grant application process which have  
69 | had 1 percent or more of their annual number of program  
70 | participants, based on the total number of registered borrowers  
71 | from the preceding year, complete the Internet safety education  
72 | program adopted by the library. Program participants completing  
73 | the program as a result of strategic partnerships or  
74 | collaboration between the library and other entities shall be  
75 | integrated into the library's annual report. The division shall  
76 | allocate 10 percent of the total points available in the library  
77 | services and technology grant application evaluation process to  
78 | public libraries that are in compliance with this section,  
79 | beginning with the grant application cycle for the 2011-2012  
80 | fiscal year.

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81       (4) The State Library Council, as provided in s. 257.02,  
82 serves as the review panel that develops recommendations for  
83 providing available federal funds to public libraries. The  
84 Secretary of State shall have the authority to revise and edit  
85 the funding recommendation list to ensure that no federal grant  
86 funds awarded under this section are used for any purposes other  
87 than those in compliance with all federal, state, and local laws  
88 and regulations, and only for activities and programs that are  
89 appropriate for all age groups.

90       Section 2. Section 257.191, Florida Statutes, is amended to  
91 read:

92       257.191 Construction grants.—

93       (1) The Division of Library and Information Services may  
94 accept and administer library construction moneys appropriated  
95 to it and shall allocate such appropriation to municipal,  
96 county, and regional libraries in the form of library  
97 construction grants on a matching basis. The local matching  
98 portion shall be no less than the grant amount, on a dollar-for-  
99 dollar basis, up to the maximum grant amount, unless the  
100 matching requirement is waived by s. 288.06561. Initiation of a  
101 library construction project 12 months or less prior to the  
102 grant award under this section shall not affect the eligibility  
103 of an applicant to receive a library construction grant. The  
104 division shall adopt rules for the administration of library  
105 construction grants. For the purposes of this section, s. 257.21  
106 does not apply.

107       (2) The Secretary shall ensure that no state grant funds

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108 | awarded under this section are used for any purposes other than  
109 | those in compliance with all federal, state, and local laws and  
110 | regulations, and only for activities and programs that are  
111 | appropriate for all age groups and shall submit his or her  
112 | recommended list to the Legislature for funding consideration.

113 |       Section 3. Section 257.23, Florida Statutes, is amended to  
114 | read:

115 |       257.23 Application for grant.—

116 |       (1) The board of county commissioners of any county, the  
117 | chief executive officer of a municipality, or the governing body  
118 | of a special district or a special tax district desiring to  
119 | receive a grant under the provisions of ss. 257.14-257.25 shall  
120 | apply therefor to the Division of Library and Information  
121 | Services on or before October 1 of each year on a form to be  
122 | provided by the division. The application shall be signed by the  
123 | chair of the board of county commissioners and attested by the  
124 | clerk of the circuit court or the appropriate officer in a  
125 | charter county, by the chief executive officer of a municipality  
126 | and attested by the clerk of the municipality, or by the chair  
127 | of the governing body and attested by the chief financial  
128 | officer of a special district or a special tax district. The  
129 | county, municipality, special district, or special tax district  
130 | shall agree to observe the standards established by the division  
131 | as authorized in s. 257.15. On or before December 1 each year,  
132 | the applicant shall certify the annual tax income and the rate  
133 | of tax or the annual appropriation for the free library or free  
134 | library service, and shall furnish such other pertinent

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135 information as the division may require.

136 (2) The Secretary of State shall ensure that no state grant  
137 funds awarded under this section are used for any purposes other  
138 than those in compliance with all federal, state, and local laws  
139 and regulations, and only for activities and programs that are  
140 appropriate for all age groups.

141 Section 4. Section 257.42, Florida Statutes, is amended to  
142 read:

143 257.42 Library cooperative grants.—

144 (1) The administrative unit of a library cooperative is  
145 eligible to receive an annual grant from the state for the  
146 purpose of sharing library resources based upon an annual plan  
147 of service and expenditure and an annually updated 5-year, long-  
148 range plan of cooperative library resource sharing. Those plans,  
149 which must include a component describing how the cooperative  
150 will share technology and the use of technology, must be  
151 submitted to the division for evaluation and possible  
152 recommendation for funding in the division's legislative budget  
153 request. Grant funds may not be used to supplant local funds or  
154 other funds. A library cooperative must provide from local  
155 sources matching cash funds equal to 10 percent of the grant  
156 award.

157 (2) The Secretary of State shall have the authority to  
158 ensure that no state grant funds awarded under this section are  
159 used for any purposes other than those in compliance with all  
160 federal, state, and local laws and regulations, and only for  
161 activities and programs that are appropriate for all age groups.

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162 Section 5. Section 265.283, Florida Statutes, is amended to  
163 read:

164 Section 265.283. Definitions.— The following definitions  
165 shall apply to ss. 265.281-265.703:

166 (1) "Arts and cultural disciplines" include, but are not  
167 limited to, music, dance, theatre, creative writing, literature,  
168 architecture, painting, sculpture, folk arts, photography,  
169 crafts, media arts, visual arts, programs of museums, and other  
170 such allied, major art forms.

171 (2) "Arts in education grants" means grants used to  
172 cultivate the learning and artistic development of all students  
173 and teachers by promoting, encouraging, and supporting arts and  
174 culture as an integral part of education and lifelong learning  
175 for residents and visitors.

176 (3) "Council" means the Florida Council on Arts and  
177 Culture.

178 (4) "Cultural support grants" means grants that provide  
179 support for general programs and specific cultural projects.

180 (5) "Culture Builds Florida grants" means grants used for  
181 the purpose of connecting the arts to key areas of the  
182 division's long-term strategic plan.

183 (6) "Department" means the Department of State.

184 (7) "Director" means the Director of the Division of Arts  
185 and Culture of the Department of State.

186 (8) "Division" means the Division of Arts and Culture of  
187 the Department of State.

188 (9) "Folklife" means the traditional expressive culture

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189 shared within the various groups in Florida: familial, ethnic,  
190 occupational, religious, and regional. Expressive culture  
191 includes a wide range of creative and symbolic forms such as  
192 custom, belief, technical skill, language, literature, art,  
193 architecture, music, play, dance, drama, ritual, pageantry, and  
194 handicraft, which forms are generally learned orally, by  
195 imitation, or in performance and are maintained or perpetuated  
196 without formal instruction or institutional direction.

197 (10) "Historical Museum" means a department or agency of  
198 state or local government or a public or private nonprofit  
199 organization located in Florida and operating on a permanent  
200 basis for the primary purpose of sponsoring, producing, and  
201 exhibiting educational programs that are related to the  
202 historical resources of Florida.

203 (11) "Local arts agency" means a public or private  
204 nonprofit organization located in Florida and operating on a  
205 permanent basis for the primary purpose of strengthening,  
206 supporting, and stabilizing the activities of one or more county  
207 art and cultural constituencies.

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

209 ~~(13)~~(12) "Science museum" means a public or private  
210 nonprofit organization located in Florida and operating on a  
211 permanent basis for the primary purpose of sponsoring,  
212 producing, and exhibiting programs for the observation and study  
213 of various types of natural science and science technology.

214 ~~(14)~~(13) "Secretary" means the Secretary of State.

215 ~~(15)~~(14) "State service organization" means a public or



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216 private nonprofit organization located in Florida operating on a  
217 permanent basis for the primary purpose of implementing programs  
218 that have cultural significance and that emphasize American  
219 creativity and the maintenance and encouragement of professional  
220 excellence.

221 ~~(16) "State touring program grants" means grants used to~~  
222 ~~provide performances, activities, and exhibitions by Florida~~  
223 ~~artists to communities.~~

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

229 ~~(18)~~ (15) "Youth and children's museum" means a public or  
230 private nonprofit organization located in Florida and operating  
231 on a permanent basis for the primary purpose of sponsoring,  
232 producing, and exhibiting multidisciplinary and participatory  
233 programs for visitors who are 6 months to 15 years old, and  
234 their families, teachers, and caregivers.

235 Section 6. Section 265.284, Florida Statutes, is amended to  
236 read:

237 Section 265.284 Chief ~~cultural~~ arts and culture officer;  
238 director of division; powers and duties.—

239 (1) The Secretary of State is the chief ~~cultural~~ arts and  
240 culture officer of the state.

241 (2) The division is the state arts administrative agency  
242 and shall be headed by a director who shall serve at the

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243 | pleasure of the secretary.

244 |       (3) The division shall directly administer and oversee all  
245 | of the programs authorized by this act. In furtherance thereof,  
246 | the division shall:

247 |       (a) Accept and administer state and federal funds  
248 | appropriated by the Legislature or funds received from other  
249 | public or private sources.

250 |       (b) Advance funds for grants on a quarterly basis.

251 |       (c) Enter into agreements for awarding grants or other  
252 | contracts with any person, firm, performing arts company,  
253 | educational institution, arts organization, corporation, or  
254 | governmental agency as may be necessary or advisable to carry  
255 | out its functions under this act.

256 |       (d) Upon request, or at its own initiative, consult with  
257 | and advise other individuals, groups, organizations, or state  
258 | agencies and officials, particularly the Governor and the  
259 | Cabinet, concerning the acquisition by gift or purchase of fine  
260 | art works, the appropriate use and display of state-owned art  
261 | treasures for maximum public benefit, and the suitability of any  
262 | structures or fixtures, including framing, primarily intended  
263 | for ornamental or decorative purposes in the interior of public  
264 | buildings.

265 |       (e) Accept on behalf of the state donations of money,  
266 | property, art objects, and antiquities. Such donations of money  
267 | and any cash income may be received from the disposal of any  
268 | donations of property, art objects, or antiquities, which shall  
269 | be deposited into the Grants and Donations Trust Fund and are

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270 hereby appropriated for use by the division for the purposes  
271 authorized in this act.

272 (f) Sponsor performances and exhibits; promote and  
273 encourage the study and appreciation of arts and culture; and  
274 collect, publish, and print pamphlets, papers, newsletters, and  
275 other materials related to arts and cultural programs available  
276 throughout the state.

277 (g) Conduct and support cultural programs and cultural  
278 exchanges by coordinating with the appropriate state agencies  
279 and other organizations.

280 (h) Accept funding and other forms of support for the  
281 purposes in this act.

282 (i) Notwithstanding s. 287.022 or s. 287.025(1)(e), enter  
283 into contracts to insure museum collections, artifacts, relics,  
284 and fine arts to which it holds title or which are on loan to  
285 the division.

286 (j) Adopt rules pursuant to ss. 120.536(1) and 120.54 to  
287 implement this subsection.

288 Section 7. Section 265.286, Florida Statutes, is amended to  
289 read:

290 Section 265.286 Arts and cultural grants.-

291 (1) The Division may accept applications for arts and  
292 cultural grants for disciplines defined in s. 265.283 based on  
293 the rules to administer and implement this section.

294 (2) Eligible grantees must:

295 (a) Be a nonprofit, tax-exempt Florida corporation; or a  
296 local or state governmental entity, school district, college,

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297 university, agency of state government, or artist engaged in or  
298 concerned with arts and cultural activities.

299 (b) Conduct activities and programs that are appropriate  
300 for all age groups.

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

303 ~~(13) The Secretary may appoint reviewers panels consisting~~  
304 ~~of members from various art and cultural disciplines and~~  
305 ~~programs to assist the council in the grant application review~~  
306 ~~process. Each panel member shall be appointed to a 1-year term.~~  
307 ~~Each panel shall consist of practicing artists or other~~  
308 ~~professionals actively involved in the specific discipline or~~  
309 ~~program for which the panel has been appointed. Each panel shall~~  
310 ~~review and Appointed reviewers shall score grant review~~  
311 ~~applications and recommend to the council the applicants to~~  
312 ~~which grants ~~should~~ may be awarded. The panels shall submit~~  
313 ~~lists of eligible applicants by score. The division shall adopt~~  
314 ~~rules establishing a formula for such scoring.~~

315 ~~(24) The council and each panel shall provide a forum for~~  
316 ~~public comment before voting on any grant application.~~

317 ~~(35) After the council reviews the lists of eligible~~  
318 ~~recommended applicants submitted by each review panel, it the~~  
319 ~~council shall develop ~~two lists, one of which must consist of~~~~  
320 ~~eligible applicants for Cultural and Museum general program~~  
321 ~~support funding and one of which must consist of eligible~~  
322 ~~applicants for Culture Builds Florida specific cultural project~~  
323 ~~funding, a list of recommended arts and culture grants and~~

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324 submit the lists to the secretary. The secretary shall have the  
325 authority to revise and edit the list to ensure that no state  
326 grant funds awarded under this section are used for any purposes  
327 other than those in compliance with all federal, state, and  
328 local laws and regulations, and only for activities and programs  
329 that are appropriate for all age groups, and shall submit his or  
330 her recommended list to the Legislature for funding  
331 consideration ~~review the council's recommendations and,~~  
332 ~~beginning July 1 2010, include the lists of approved applicants~~  
333 ~~in the department's legislative budget request submitted to the~~  
334 ~~Legislature.~~

335 (46) Project Arts and cultural grants shall be funded from  
336 the secretary's ~~approved~~ submitted lists ~~by score~~ until all  
337 appropriated funds are depleted. If ~~specific project~~ grant funds  
338 are returned to the division, it shall award such funds to the  
339 next grant applicant on the secretary's related list of ~~approved~~  
340 applicants. ~~General program support grants shall be awarded to~~  
341 ~~applicants on the secretary's list in amounts determined by~~  
342 ~~rule.~~

343 (57) The division shall ~~fund~~ administer awarded grants:

344 (a) ~~Grants for general program support for science museums,~~  
345 ~~youth and children's museums, historical museums, local arts~~  
346 ~~agencies, state service organizations, and organizations that~~  
347 ~~have cultural program activities in any of the art and cultural~~  
348 ~~disciplines defined in s. 265.283. To supplement the financial~~  
349 support of artistic and cultural activities and programs that,  
350 without the assistance, may otherwise be unavailable to Florida

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351 residents.

352 ~~(b) Grants for specific cultural projects for arts in~~  
353 ~~education, museums, Culture Builds Florida, or nonprofit public~~  
354 ~~or private organizations having cultural project activity in any~~  
355 ~~of the art and cultural disciplines. To activities and programs~~  
356 ~~that have substantial artistic and cultural significance and~~  
357 ~~emphasize creativity and professional excellence.~~

358 ~~(c) Grants for a touring program that has a selection~~  
359 ~~procedure that ensures the maximum opportunity for Florida~~  
360 ~~artists and cultural groups. To activities and programs that~~  
361 ~~meet the professional standards or standards of authenticity of~~  
362 ~~significant merit, regardless of origin.~~

363 ~~(d) An individual artist fellowship program. The division~~  
364 ~~shall establish a selection procedure that identifies individual~~  
365 ~~artists of exceptional talent and demonstrated ability and~~  
366 ~~distribute grant appropriations as provided by rule. To~~  
367 ~~activities and programs that are appropriate for all age groups.~~

368 (e) Other programs consistent with the purpose of this act.

369 (68) The division ~~shall~~ may adopt rules establishing:

370 (a) Eligibility criteria for the award of grants, which may  
371 include, but need not be limited to, application requirements,  
372 allowable and nonallowable costs, program quality, artistic  
373 quality, creativity, potential public exposure and benefit, the  
374 ability to properly administer grant funds, professional  
375 excellence, fiscal stability, state or regional impact and  
376 economic development, matching requirements, and other  
377 requirements to further the purposes of this act.

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378 (b) Particular grant programs, categories of grants, and  
379 procedures necessary for the prudent administration of the grant  
380 programs.

381 (c) The ~~panel~~ review process, including, but not limited  
382 to, criteria for reviewing grant applications to ensure  
383 compliance with applicable federal and state law, including  
384 those related to discrimination and conflicts of interest and  
385 appropriateness of content for all age groups. The division may  
386 not award any new grant that will, in whole or in part, inure to  
387 the personal benefit of any council ~~or review panel~~ member  
388 during the member's term of office or reviewer if the council ~~or~~  
389 ~~panel~~ member or reviewer participated in the vote of the council  
390 or ~~panel~~ reviewer recommending the award. This paragraph does  
391 not prohibit the division from awarding a grant to an entity  
392 with which a council ~~or panel~~ member or reviewer is associated.

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

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

397 ~~(b) To activities and programs that have substantial~~  
398 ~~artistic and cultural significance and emphasize creativity and~~  
399 ~~professional excellence.~~

400 ~~(c) To activities and programs that meet the professional~~  
401 ~~standards or standards of authenticity of significant merit,~~  
402 ~~regardless of origin.~~

403 ~~(e) For other reasons consistent with this act.~~

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

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405 ~~(a) Be a nonprofit, tax-exempt Florida corporation; or~~  
406 ~~(b) A local or state governmental entity, school district,~~  
407 ~~community college, college, university, agency of state~~  
408 ~~government, or artist engaged in or concerned with arts and~~  
409 ~~cultural activities.~~

410 (9) In order to equitably distribute limited state funding,  
411 applicants may apply for and be awarded only one grant per  
412 annual grant cycle, except for cultural facilities, ~~a cultural~~  
413 ~~endowment, or touring program grants and individual artist~~  
414 ~~fellowships.~~

415 (10) Of the total amount of grant funds available from all  
416 sources for grants, except cultural facilities ~~and cultural~~  
417 ~~endowments~~, 70 percent shall be awarded on at least a dollar-to-  
418 dollar matching basis. Up to 50 percent of the grantee's match  
419 may consist of in-kind funds. Up to 30 percent of all grant  
420 funds may be awarded on a nonmatching basis, ~~including~~  
421 ~~individual fellowships.~~

422 (11) An applicant seeking a grant funding recommendation  
423 must not have a substantial interest as defined in s. 120.569,  
424 F.S., for any requested recommendation.

425 ~~(11)~~ (12) The division ~~shall~~ may adopt rules to administer and  
426 implement this section.

427 (13) Effective on the date this act becomes law, the  
428 Secretary shall request, and the council shall submit, an  
429 updated list of projects that comply with the requirements of  
430 this section. After review and any edits made by the Secretary,  
431 the Secretary shall submit his or her recommended list to the



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432 Legislature for funding consideration in the General  
433 Appropriations Act for Fiscal Year 2025-2026. Both the council  
434 and the Secretary shall give priority in their funding  
435 recommendations to projects in support of America 250 and  
436 celebration of the 250<sup>th</sup> anniversary of the signing of the  
437 Declaration of Independence on July 4, 1776. The requirements of  
438 this subsection are applicable only if the date this act becomes  
439 law occurs prior to the Legislature passing the General  
440 Appropriations Act for Fiscal Year 2025-2026. This subsection  
441 expires July 1, 2026.

442 Section 8. Section 265.701, Florida Statutes, is amended to  
443 read:

444 Section 265.701 Cultural facilities; grants for ~~acquisition,~~  
445 renovation, or construction; funding; approval; allocation.—

446 (1) The Division of Arts and Culture may accept and  
447 administer moneys appropriated to it for providing grants to  
448 counties, municipalities, and qualifying nonprofit corporations  
449 for the ~~acquisition,~~ renovation, or construction of cultural  
450 facilities.

451 (2) A county, municipality, or qualified corporation may  
452 apply for a grant of state funds for the ~~acquisition,~~  
453 renovation, or construction of a cultural facility. For the  
454 purposes of this section, a "qualified corporation" is a  
455 corporation which is designated a not-for-profit corporation  
456 pursuant to s. 501(c)(3) or (4) of the Internal Revenue Code of  
457 1954, and which is described in, and allowed to receive  
458 contributions pursuant to the provisions of, s. 170 of the

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459 Internal Revenue Code of 1954, and which is a corporation not  
460 for profit incorporated pursuant to chapter 617. The state grant  
461 must be matched by a contribution from the county, municipality,  
462 or nonprofit corporation in an amount to be determined by the  
463 Department of State.

464 (3) The Florida Council on Arts and Culture shall review  
465 each application for a grant to ~~acquire, renovate, or construct~~  
466 a cultural facility which is submitted pursuant to subsection  
467 (2) and shall submit annually to the Secretary of State for  
468 approval lists of all applications that are recommended by the  
469 council for the award of grants, arranged in order of priority.  
470 The secretary shall have the authority to revise and edit the  
471 lists to ensure that no state grant funds awarded under this  
472 section are used for any purposes other than those in compliance  
473 with all federal state, and local laws and regulations, and only  
474 for activities and programs that are appropriate for all age  
475 groups, and shall submit his or her recommended lists to the  
476 Legislature for funding consideration. The division may allocate  
477 grants only for projects that are approved or for which funds  
478 are appropriated by the Legislature. ~~Projects approved and~~  
479 ~~recommended by the Secretary of State which are not funded by~~  
480 ~~the Legislature shall be retained on the project list for the~~  
481 ~~following grant cycle only. All projects that are retained shall~~  
482 ~~be required to submit such information as may be required by the~~  
483 ~~department as of the established deadline date of the latest~~  
484 ~~grant cycle in order to adequately reflect the most current~~  
485 ~~status of the project.~~

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486 (4) Any contract administered under this section shall  
487 require the recordation of a restrictive covenant by the grantee  
488 and property owner or the purchase of a bond as prescribed by  
489 rule to ensure that the facility continues to be used as a  
490 cultural facility for a period of 10 years following the grant  
491 award. If the facility ceases to be used as a cultural facility  
492 during the 10 years following the grant award, the grant funds  
493 shall be repaid to the department according to an amortization  
494 schedule set forth in rule.

495 (5) The Division of Arts and Culture shall adopt rules  
496 prescribing the criteria to be applied by the Florida Council on  
497 Arts and Culture in recommending applications for the award of  
498 grants and rules providing for the administration of this  
499 section.

500 (6) Effective on the date this act becomes law, the  
501 Secretary shall request, and the council shall submit, updated  
502 lists of projects that comply with the requirements of this  
503 section. After review and any edits made by the Secretary, the  
504 Secretary shall submit his or her recommended lists to the  
505 Legislature for funding consideration in the General  
506 Appropriations Act for Fiscal Year 2025-2026. Both the council  
507 and the Secretary shall give priority in their funding  
508 recommendations to projects in support of America 250 and  
509 celebration of the 250<sup>th</sup> anniversary of the signing of the  
510 Declaration of Independence on July 4, 1776. The requirements of  
511 this subsection are applicable only if the date this act becomes  
512 law occurs prior to the Legislature passing the General

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513 Appropriations Act for Fiscal Year 2025-2026. This subsection  
514 expires July 1, 2026.

515 Section 9. Subsection (6) of section 267.0612, Florida  
516 Statutes, is amended to read:

517 267.0612 Florida Historical Commission; creation;  
518 membership; powers and duties.—In order to enhance public  
519 participation and involvement in the preservation and protection  
520 of the state's historic and archaeological sites and properties,  
521 there is created within the Department of State the "Florida  
522 Historical Commission." The commission shall serve in an  
523 advisory capacity to the director of the Division of Historical  
524 Resources to assist the director in carrying out the purposes,  
525 duties, and responsibilities of the division, as specified in  
526 this chapter.

527 (6) It shall be the responsibility of the commission to  
528 provide assistance, advice, and recommendations to the division  
529 in:

530 (a) Establishing priorities for the identification,  
531 acquisition, protection, and preservation of historic and  
532 archaeological sites and properties.

533 (b) Establishing criteria for use in assessing the  
534 significance of historic and archaeological sites and  
535 properties.

536 (c) Evaluating proposals for awards of special category  
537 historic preservation grants-in-aid administered by the  
538 division. Pursuant thereto, the commission shall review and

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539 evaluate proposals for special category grants and shall make  
540 recommendations, including a priority ranking, reflecting such  
541 evaluation. In making such evaluation and recommendations, the  
542 commission shall, at a minimum, consider the purpose, economic  
543 and other public benefit, location, compatibility with statewide  
544 historic preservation priorities, and cost of each proposal for  
545 special category grant assistance. Special category historic  
546 preservation grants-in-aid recommendations of the commission  
547 shall be reviewed by the Secretary of State as provided in s.  
548 267.0617.

549 (d) Providing an active outreach program to encourage  
550 public understanding of and involvement in the preservation of  
551 the state's historic and archaeological sites and properties.

552 (e) Identifying and expressing public goals for historic  
553 preservation and gathering public ideas necessary for the  
554 formulation of alternative policies.

555 (f) Recommending rules relating to the historic  
556 preservation programs administered by the division pursuant to  
557 this chapter.

558 Section 10. Subsections (2) and (3) of section 267.0617,  
559 Florida Statutes, are amended to read:

560 267.0617 Historic Preservation Grant Program.—

561 (2) The division is authorized to conduct and carry out a  
562 program of historic preservation grants-in-aid, including  
563 matching grants, to any department or agency of the state; any  
564 unit of county, municipal, or other local government; any  
565 corporation, partnership, or other organization, whether public

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566 or private or whether or not for profit; or any individual for  
567 projects having as their purpose the identification,  
568 acquisition, protection, preservation, rehabilitation,  
569 restoration, or construction of historic sites and properties,  
570 or Florida history, or the planning of such activities. Funds  
571 appropriated from general revenue for the historic preservation  
572 grants-in-aid program shall not be provided for a project owned  
573 by private individuals or owned by for-profit corporations. ~~All~~  
574 ~~moneys received from any source as appropriations, deposits, or~~  
575 ~~contributions to this program shall be paid and credited to the~~  
576 ~~Historical Resources Operating Trust Fund.~~

577 (3) All grants of state funds to assist in the preservation  
578 of historic properties ~~shall be made from the Historical~~  
579 ~~Resources Operating Trust Fund~~ and may be awarded only pursuant  
580 to applications for such assistance made to the Division of  
581 Historical Resources. The Florida Historical Commission shall  
582 review each application for a special category historic  
583 preservation grant-in-aid. ~~Special category historic~~  
584 ~~preservation grants in aid are those reviewed and recommended by~~  
585 ~~the Secretary of State for submission for legislative funding~~  
586 ~~consideration.~~ Grant review panels appointed by the Secretary of  
587 State and chaired by a member of the Florida Historical  
588 Commission or a designee appointed by the commission's presiding  
589 officer shall review each application for other historic  
590 preservation grants-in-aid. ~~The~~ Each reviewing body shall submit  
591 annually to the Secretary of State ~~for approval~~ lists of all  
592 historic preservation grants-in-aid applications that are

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593 recommended by the reviewing body for the award of grants,  
594 arranged in order of priority. The Secretary of State shall have  
595 the authority to revise and edit the recommended lists to ensure  
596 that no state grant funds awarded under this section are used  
597 for any purpose other than those in compliance with all federal,  
598 state, and local laws and regulations, and only for activities  
599 and programs that are appropriate for all age groups, and shall  
600 submit his or her recommended lists to the Legislature for  
601 funding consideration.

602 Section 11. Subsection (2) of section 267.21, Florida  
603 Statutes, is amended to read:

604 267.21 Historic Cemeteries Program.—

605 (2) The Historic Cemeteries Program shall, subject to  
606 legislative appropriation—7

607 (a) Provide grants to the following entities:

608 ~~(a)~~1. Research institutions, colleges and universities, and  
609 qualified nonprofit organizations, for the purpose of conducting  
610 genealogical and historical research necessary to identify and  
611 contact the relatives and descendants of persons buried in  
612 abandoned African-American cemeteries.

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

616 (b) All such grants of state funds to assist abandoned  
617 African-American cemeteries may be awarded only pursuant to  
618 applications for such assistance made to the Division of  
619 Historical Resources. The Florida Historic Cemeteries Program

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620 Advisory Council shall review each application for an abandoned  
621 African-American cemeteries grant made pursuant to this section.  
622 The council shall submit annually to the Secretary of State the  
623 list of all abandoned African-American cemeteries applications  
624 that are recommended for the award of grants, arranged in order  
625 of priority. The Secretary of State shall have the authority to  
626 revise and edit the list to ensure that no state grant funds  
627 awarded under this section are used for any purpose other than  
628 those in compliance with all federal, state, and local laws and  
629 regulations, and only for activities and programs that are  
630 appropriate for all age groups, and shall submit his or her  
631 recommended lists to the Legislature for funding consideration.

632 Section 12. Section 267.22, Florida Statutes, is amended to  
633 read:

634 267.22 Historic Cemeteries Program Advisory Council.—

635 (1) The Historic Cemeteries Program Advisory Council, an  
636 advisory council as defined in s. 20.03(7), is created as a sub-  
637 council within the ~~division~~ Florida Historical Commission  
638 created by s. 267.0612, and shall consist of at least five but  
639 no more than nine members appointed by the ~~Secretary of State~~  
640 Florida Historical Commission after considering the  
641 recommendations of the director of the division. The council  
642 must be composed of an inclusive group of members who are  
643 regionally distributed and representative of communities  
644 throughout this state and may include members of the Florida  
645 Historical Commission. Members ~~shall serve 4-year terms;~~  
646 however, for the purpose of providing staggered terms, four of



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647 ~~the appointees initially shall be appointed to 2-year terms and~~  
648 ~~the remaining five shall be appointed to 4-year terms~~in place on  
649 July 1, 2025, may serve the remainder of their respective  
650 Secretary of State appointed terms. All subsequent appointments  
651 shall be for 2-year terms. New appointments to the commission  
652 shall not be made until the retirement, resignation, removal, or  
653 expiration of the terms of the initial members results in fewer  
654 than five members remaining. ~~As soon as practicable after July~~  
655 ~~1, 2023~~Annually, the council shall ~~meet to~~ elect a chair from  
656 its membership. Except as otherwise provided in this section,  
657 the council shall operate in a manner consistent with s. [20.052](#).

658 (2) The council shall provide guidance and recommendations  
659 to the division and the Florida Historical Commission regarding  
660 the duties and responsibilities of the Historic Cemeteries  
661 Program created under s. [267.21](#). It shall be the additional  
662 responsibility of the council to evaluate proposals for awards  
663 of abandoned African-American cemeteries grants, as authorized  
664 by s. 267.21(2). Pursuant thereto, the council shall review and  
665 evaluate proposals for abandoned African-American cemeteries  
666 grants and shall make recommendations to the Secretary of State,  
667 including a priority ranking, reflecting such evaluation. In  
668 making such evaluation and recommendations, the council shall,  
669 at a minimum, consider the purpose, public benefit, location,  
670 and cost of each proposal for grant assistance. Abandoned  
671 African-American cemeteries grants recommendations of the  
672 council shall be reviewed by the Secretary of State in  
673 accordance with s. 267.21(2).

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674 (3) Members of the council shall serve without compensation  
675 but may receive per diem and reimbursement for travel expenses  
676 pursuant to s. [112.061](#).

677 Section 13. Except as otherwise specified, this act shall  
678 take effect July, 1, 2025.