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# A BILL FOR AN ACT

RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Chapter 9, Hawaii Revised Statutes, is amended  
2 by adding two new sections to be appropriately designated and to  
3 read as follows:

4 "§9-A Art in private places pilot program. (a) There is  
5 established an art in private places pilot program to be placed  
6 within the foundation for administrative purposes.

7 (b) Under the pilot program, the executive director shall  
8 enter into agreements to loan state-owned art to non-state  
9 individuals, businesses, or entities for reasonable financial  
10 consideration.

11 (c) State-owned art loaned to non-state individuals,  
12 businesses, or entities pursuant to this section shall be  
13 displayed in non-state owned publicly accessible areas and  
14 county-owned buildings.

15 (d) The executive director may void any loan agreement  
16 made pursuant to this section and collect the loaned art if any  
17 non-state individual, business, or entity violates subsection



1 (c). A non-state individual, business, or entity shall not be  
2 entitled to the return of any financial consideration received  
3 by the State if a loan agreement is voided by the executive  
4 director pursuant to this section or rule.

5 (e) Any revenues received by the State pursuant to  
6 subsection (b) shall be deposited into the art in private places  
7 special account.

8 (f) The executive director shall submit annual reports of  
9 the status of the art in private places pilot program,  
10 including:

11 (1) Details of each loan agreement currently entered into  
12 pursuant to this section, including but not limited to  
13 the parties to the agreement, location of the  
14 displayed art, revenue generated by the agreement, and  
15 length of the agreement; and

16 (2) The total revenue generated from the pilot program,  
17 to the legislature no later than twenty days prior to the  
18 convening of each regular session beginning with the regular  
19 session of 2024.



1        §9-B Art in private places special account. (a) There is  
2 established in the state treasury the art in private places  
3 special account into which shall be deposited:

4        (1) Revenues from the art in private places pilot program  
5        established pursuant to section 9-A;

6        (2) Appropriations by the legislature to the art in  
7        private places special account; and

8        (3) All interest earned or accrued on moneys deposited in  
9        the special account.

10       (b) The foundation may expend moneys in the art in private  
11 places special account for the administration and implementation  
12 of the art in private places pilot program pursuant to  
13 section 9-A."

14       SECTION 2. Chapter 9, Hawaii Revised Statutes, is amended  
15 by amending the title of part III to read as follows:

16       "[+]PART III.[+] ART IN PUBLIC PLACES AND RELOCATABLE WORKS OF  
17       [+]ART[+] PROGRAMS, ART IN PRIVATE PLACES PILOT PROGRAM, AND  
18       STATE ART MUSEUM"

19       SECTION 3. Section 9-21, Hawaii Revised Statutes, is  
20 amended to read as follows:



1           "§9-21 Purpose. The foundation shall administer the  
2 art in public places and relocatable works of art programs,  
3 pursuant to section 103-8.5, the art in private places pilot  
4 program established pursuant to section 9-A, and the state art  
5 museum to achieve the following purposes:

6           (1) Replace in public state buildings the natural beauty  
7 displaced in construction with works of art expressive  
8 of the State's cultural, creative, and traditional  
9 arts of its various ethnic groups;

10          (2) Support, promote, and recognize excellence of the  
11 State's diverse cultural, creative, and traditional  
12 artists; and

13          (3) Create, display, and maintain in public places, non-  
14 state owned publicly accessible areas and county-owned  
15 buildings, and the state art museum a collection of  
16 works of art that:

17           (A) Represents the diversity and excellence of the  
18 State's artistic expression; and

19           (B) Provides to all the citizens of the State the  
20 fullest possible access to the highest quality  
21 aesthetic and educational experiences available."



1 SECTION 4. In codifying the new sections added by section  
2 1 of this Act, the revisor of statutes shall substitute  
3 appropriate section numbers for the letters used in designating  
4 the new sections in this Act.

5 SECTION 5. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 6. This Act shall take effect on July 1, 2023;  
8 provided that on June 30, 2026, this Act shall be repealed and  
9 section 9-21 and the title of part III of chapter 9, Hawaii  
10 Revised Statutes, shall be reenacted in the form in which they  
11 read on the day prior to the effective date of this Act.



H.B. NO. 475  
H.D. 1  
S.D. 2  
C.D. 1

**Report Title:**

SFCA; Art in Private Places Pilot Program; Special Account

**Description:**

Establishes the Art in Private Places Pilot Program and Special Account. Clarifies the scope of the State Foundation on Culture and the Arts' responsibilities to include administration of the pilot program. Requires annual reports to the Legislature.

(CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

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