### HOUSE OF, REPRESENTATIVES THIRTY-SECOND LEGISLATURE, 2023 STATE OF HAWAII

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

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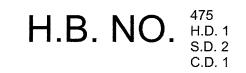
### A BILL FOR AN ACT

RELATING TO THE STATE FOUNDATION ON CULTURE AND THE ARTS.

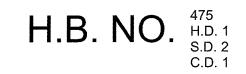
### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

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							

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1	(c). A n	on-state individual, business, or entity shall not be							
2	entitled	to the return of any financial consideration received							
3	by the St	ate if a loan agreement is voided by the executive							
4	director pursuant to this section or rule.								
5	<u>(e)</u>	(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 le	gislature no later than twenty days prior to the							
18	convening	of each regular session beginning with the regular							
19	session of 2024.								



1	<b>§9-B</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:							

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1	"[+]	§9-21[ <del>]</del> ]	Purpose.	The four	dation sha	all administ	er 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 express								
8		of the S	tate's cul	tural, cr	eative, ar	d tradition	al		
9	arts of its various ethnic groups;								
10	(2)	(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) Rep	resents the	e diversi	ty and exc	ellence of	the		
18		Sta	te's artis	tic expre	ssion; and	l			
19		(B) Pro	vides to a	ll the ci	tizens of	the State th	ne		
20		ful	lest possil	ble acces	s to the h	ighest qual:	ity		
21		aes	thetic and	educatio	onal experi	ences availa	able."		

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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.





#### 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.

