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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. The legislature finds that the mission of the  
2 state foundation on culture and the arts is to promote,  
3 perpetuate, preserve, and encourage culture and the arts as  
4 central to the quality of life and people of the State. One of  
5 the foundation's strategic priorities includes increasing public  
6 accessibility to arts and culture.

7           The foundation administers the state art museum and the art  
8 in public places and relocatable works of art programs, using  
9 the works of art special fund created pursuant to  
10 section 103-8.5, Hawaii Revised Statutes, and also issues grants  
11 through its foundation grants program. The museum and these  
12 programs aim to support, promote, and recognize the excellence  
13 of the State's diverse artists; create, display, and maintain in  
14 public places and the state art museum a collection of works of  
15 art that represent the diversity and excellence of the State's  
16 artistic expression; and provide the fullest possible access to



1 the highest quality aesthetic and educational experiences  
2 available to all the citizens of the State.

3 The legislature further finds that the performing arts also  
4 represent various mediums that express creativity through  
5 singing, dancing, theatre, and musical performances. To ensure  
6 a wide range of artistic creativity and expression in the State,  
7 performing arts should also be recognized as a medium to provide  
8 the State's residents and visitors with creative, educational,  
9 and aesthetic performances that tell meaningful stories and  
10 provide engaging experiences.

11 The purpose of this Act is to further the foundation's  
12 endeavors by:

- 13 (1) Establishing the performing arts grants program, under  
14 the foundation's existing foundation grant program, to  
15 support performing arts in the State;
- 16 (2) Establishing the performing arts grants special fund;
- 17 (3) Clarifying the scope of the state foundation on  
18 culture and the arts' responsibilities to include the  
19 coordination, planning, promotion, marketing, and  
20 execution of performing arts events; and



1 (4) Appropriating funds to provide grants under the  
2 performing arts grants program.

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

6 "§9- Performing arts grants program. (a) There is  
7 established a performing arts grants program, to be placed in  
8 the foundation for administrative purposes, to provide grants  
9 for the coordination, planning, promotion, marketing, and  
10 execution of performing arts events.

11 (b) The foundation shall administer the performing arts  
12 grants program in accordance with this part.

13 (c) The foundation shall submit an annual report of  
14 performing arts grants awarded and the outcomes of each  
15 performing arts event that received a grant to the legislature  
16 no later than twenty days prior to the convening of the regular  
17 session of 2026 and every regular session thereafter.

18 §9- Performing arts grants special fund. (a) There is  
19 established in the state treasury the performing arts grants  
20 special fund, to be administered by the foundation. The  
21 revenues of the special fund shall consist of:



- 1        (1) Appropriations made by the legislature;  
2        (2) Revenues or moneys derived from the foundation's  
3                operations;  
4        (3) Grants, gifts, and donations received by the  
5                foundation; and  
6        (4) All interest earned on moneys deposited in the fund.  
7        The special fund shall be used for the coordination,  
8 planning, promotion, marketing, and execution of performing arts  
9 events.
- 10        (b) The foundation shall oversee and administer grants for  
11 the coordination, planning, promotion, marketing, and execution  
12 of performing arts events. Applications for grants shall be  
13 made to the foundation and contain such information as the  
14 foundation shall require. At minimum, the applicant shall show:
- 15        (1) The name of the requesting organization and  
16                individual;  
17        (2) The purpose of the grant;  
18        (3) The service to be supported by the grant;  
19        (4) The target group to be benefited;  
20        (5) The costs of the grant; and



1       (6) That the grant shall be used for activities that are  
2       consistent with the purposes of this chapter.

3       (c) Grants shall only be awarded if:

4       (1) The applicant has applied for or received all  
5       applicable licenses and permits, when such is required  
6       to conduct the work for which a grant is awarded;

7       (2) The applicant agrees to comply with applicable  
8       federal, state, and county laws;

9       (3) All activities and improvements undertaken with funds  
10       received shall comply with all applicable federal,  
11       state, and county statutes and ordinances, including  
12       applicable building codes and agency rules; and

13       (4) The applicant will indemnify and hold harmless the  
14       foundation, the State of Hawaii, and its officers,  
15       agents, and employees from and against any and all  
16       claims arising out of or resulting from activities  
17       carried out or projects undertaken with funds provided  
18       hereunder.

19       Every grant shall be monitored by the foundation to ensure  
20       compliance with this chapter and the purposes and intent of the



1 grant and shall be evaluated annually to determine whether the  
2 grant attained the intended results in the manner contemplated."

3 SECTION 3. Section 9-1, Hawaii Revised Statutes, is  
4 amended as follows:

5 1. By adding a new definition to be appropriately inserted  
6 and to read:

7 "Performing arts" includes arts or skills that are  
8 intended to be performed before an audience, including but not  
9 limited to dance, singing, musical performances, and theater."

10 2. By amending the definition of "arts" to read:

11 "Arts" includes music, dance, painting, drawing,  
12 sculpture, architecture, drama, poetry, prose, crafts,  
13 industrial design, interior design, fashion design, photography,  
14 television, motion picture art, unique or decorative plants,  
15 landscaping, and all other performing arts and creative activity  
16 of imagination and beauty."

17 SECTION 4. Section 9-21, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "[+]§9-21[+] **Purpose.** The foundation shall administer the  
20 art in public places and relocatable works of art programs,



1 pursuant to section 103-8.5, and the state art museum to achieve  
2 the following purposes:

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

7 (2) Support, promote, and recognize excellence of the  
8 State's diverse cultural, creative, and traditional  
9 artists; and

10 (3) Create, display, and maintain in public places and the  
11 state art museum a collection of works of art, and  
12 coordinate, plan, promote, market, and execute  
13 performing arts events, that:

14 (A) [~~Represents~~] Represent the diversity and  
15 excellence of the State's artistic expression;  
16 and

17 (B) [~~Provides~~] Provide to all the citizens of the  
18 State the fullest possible access to the highest  
19 quality aesthetic and educational experiences  
20 available."



1 SECTION 5. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so  
3 much thereof as may be necessary for fiscal year 2025-2026 and  
4 the same sum or so much thereof as may be necessary for fiscal  
5 year 2026-2027 to provide grants under the performing arts  
6 grants program.

7 The sums appropriated shall be expended by the state  
8 foundation on culture and the arts for the purposes of this Act.

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

11 SECTION 7. This Act shall take effect on July 1, 3000.



**Report Title:**

State Foundation of Culture and the Arts; Performing Arts Grants Program; Performing Arts Grants Special Fund; Appropriation

**Description:**

Establishes the Performing Arts Grants Program to support performing arts in the State. Clarifies the scope of the State Foundation on Culture and the Arts' responsibilities to include the coordination, planning, promotion, marketing, and execution of performing arts events. Allows the use of moneys from the Performing Arts Grants Special Fund for performing arts. Appropriates funds to provide grants under the Performing Arts Grants Program. Effective 7/1/3000. (HD1)

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

