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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;
- 21 (4) Amending the funding sources for the state art museum;



(5) Amending the amounts required to be transferred by agencies into the works of art special fund and the allowable uses of moneys from the works of art special fund;

(6) Appropriating general funds and federal funds for the operations of the state foundation on culture and the arts; and

(7) Appropriating general funds to provide grants under the performing arts grants program.

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

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

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

**(c) The foundation shall submit an annual report of performing arts grants awarded and the outcomes of each**



1 performing arts event that received a grant to the legislature  
2 no later than twenty days prior to the convening of the regular  
3 session of 2026 and every regular session thereafter.

4 §9-      **Performing arts grants special fund.** (a) There is  
5 established in the state treasury the performing arts grants  
6 special fund, to be administered by the foundation. The  
7 revenues of the special fund shall consist of:

8 (1) Appropriations made by the legislature;

9 (2) Revenues or moneys derived from the foundation's  
10 operations;

11 (3) Grants, gifts, and donations received by the  
12 foundation; and

13 (4) All interest earned on moneys deposited in the fund.

14 The special fund shall be used for the coordination,  
15 planning, promotion, marketing, and execution of performing arts  
16 events.

17 (b) The foundation shall oversee and administer grants for  
18 the coordination, planning, promotion, marketing, and execution  
19 of performing arts events. Applications for grants shall be  
20 made to the foundation and contain such information as the  
21 foundation shall require. At minimum, the applicant shall show:



- 1        (1) The name of the requesting organization and  
2        individual;
- 3        (2) The purpose of the grant;
- 4        (3) The service to be supported by the grant;
- 5        (4) The target group to be benefited;
- 6        (5) The costs of the grant; and
- 7        (6) That the grant shall be used for activities that are  
8        consistent with the purposes of this chapter.
- 9        (c) Grants shall only be awarded if:
- 10       (1) The applicant has applied for or received all  
11       applicable licenses and permits, when such is required  
12       to conduct the work for which a grant is awarded;
- 13       (2) The applicant agrees to comply with applicable  
14       federal, state, and county laws;
- 15       (3) All activities and improvements undertaken with funds  
16       received shall comply with all applicable federal,  
17       state, and county statutes and ordinances, including  
18       applicable building codes and agency rules; and
- 19       (4) The applicant will indemnify and hold harmless the  
20       foundation, the State of Hawaii, and its officers,  
21       agents, and employees from and against any and all



1 claims arising out of or resulting from activities  
2 carried out or projects undertaken with funds provided  
3 hereunder.

4 Every grant shall be monitored by the foundation to ensure  
5 compliance with this chapter and the purposes and intent of the  
6 grant and shall be evaluated annually to determine whether the  
7 grant attained the intended results in the manner contemplated."

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

10 1. By adding a new definition to be appropriately inserted  
11 and to read:

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

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

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



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

"~~[§]§9-21[§]~~ **Purpose.** The foundation shall administer the art in public places and relocatable works of art programs, ~~[pursuant to section 103-8.5,]~~ performing arts grants program, and state art museum to achieve the following purposes:

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

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

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

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



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

SECTION 5. Section 9-22, Hawaii Revised Statutes, is amended to read as follows:

**"[~~§~~9-22[~~]~~] State art museum; establishment.** The state art museum is established within the foundation. The operations of the state art museum shall be funded and supported ~~[by the works of art special fund, pursuant to section 103-8.5.]~~ by:

- (1) Appropriations from the legislature;
- (2) Federal grants and subsidies;
- (3) Voluntary contributions; and
- (4) Funds received pursuant to section 9-3(7)."

SECTION 6. Section 103-8.5, Hawaii Revised Statutes, is amended to read as follows:

**"§103-8.5 Works of art special fund.** (a) There is created a works of art special fund, into which shall be transferred one per cent of all state fund appropriations for capital improvements designated for the construction cost element~~[+]~~, up to a total amount not to exceed \$3,000,000 per





1 fiscal year; provided that this transfer shall apply only to  
2 capital improvement appropriations that are designated for the  
3 construction or renovation of state buildings. The one per cent  
4 transfer requirement shall not apply to appropriations from the  
5 passenger facility charge special fund established by section  
6 261-5.5 and the rental motor vehicle customer facility charge  
7 special fund established under section 261-5.6.

8 (b) The works of art special fund shall be used solely for  
9 ~~[the following purposes:~~

10 ~~(1) Costs]~~ costs related to the acquisition of works of  
11 art~~[, including any consultant or staff services~~  
12 ~~required to carry out the art in public places and~~  
13 ~~relocatable works of art programs;~~

14 ~~(2) Site modifications, display, and interpretive work~~  
15 ~~necessary for the exhibition of works of art;~~

16 ~~(3) Upkeep services, including maintenance, repair, and~~  
17 ~~restoration of works of art;~~

18 ~~(4) Storing and transporting works of art].~~

19 (c) The ~~[one per cent]~~ total annual amount, which is  
20 included in all capital improvement appropriations, shall be  
21 calculated at the time the appropriation bills are signed into



1 law. The moneys shall be transferred into the works of art  
2 special fund upon availability of moneys from the  
3 appropriations~~[+]~~; provided that the total annual amount  
4 transferred into the special fund shall not cause the fund  
5 balance as of the end of the prior fiscal year to exceed  
6 \$15,000,000. Each agency receiving capital improvement  
7 appropriations shall calculate [~~the one per cent~~] its  
8 proportionate share of the total annual amount and transfer the  
9 moneys into the works of art special fund.

10 (d) The comptroller and the state foundation on culture  
11 and the arts shall decide on the specific art objects to  
12 acquire, giving first consideration to placing appropriate  
13 pieces of art at the locations of the original appropriation.

14 The selection of, commissioning artists for, reviewing of  
15 design, execution, and placement of, and the acceptance of works  
16 of art shall be the responsibility of the comptroller and the  
17 state foundation on culture and the arts in consultation with  
18 the affected agency or department.

19 Expenditures from the works of art special fund shall be  
20 made by the comptroller.

21 (e) The comptroller shall:



1 (1) Provide each agency receiving capital improvement  
2 appropriations with information regarding items that  
3 shall be included and excluded from [~~the one per cent~~]  
4 the agency's proportionate share of the total annual  
5 amount;

6 (2) Ensure that each agency calculates its [~~one per cent~~]  
7 proportionate share of the total annual amount  
8 correctly; and

9 (3) Ensure that each agency transfers the correct amount  
10 to the works of art special fund in a timely manner.

11 (f) The comptroller and the executive director shall track  
12 amounts due from each agency under the one per cent requirement  
13 as provided in this section."

14 SECTION 7. The following sums or so much thereof as may be  
15 necessary for fiscal year 2025-2026 and fiscal year 2026-2027  
16 are appropriated or authorized, as the case may be, from moneys  
17 in the treasury received from general revenues and federal funds  
18 to be expended by the state foundation on culture and the arts  
19 to finance the positions and other cost items listed below. The  
20 letter symbols used after the specific appropriations indicate



- 1 the source of financing and have the following meaning: (A)
- 2 general revenues, (N) federal funds.

Prog ID/Org	Position Title/ Program Description	Position #	MOF	FTE (P)	FY 26	FY 27
AGS 881 LA	Secretary II	16047	A	1.00	47,004	47,004
AGS 881 LA	Administrative Services Assistant	21199	A	0.75	47,322	47,322
AGS 881 LA	Administrative Services Assistant	21199	N	0.25	15,774	15,774
AGS 881 LA	Office Assistant III	21352	A	0.75	28,404	28,404
AGS 881 LA	Office Assistant III	21352	N	0.25	7,560	7,560
AGS 881 LA	Arts Program Specialist III	26529	A	1.00	71,016	71,016
AGS 881 LA	Arts Program Specialist IV	27869	A	1.00	71,016	71,016
AGS 881 LA	Accountant IV	31184	A	0.75	67,365	67,365
AGS 881 LA	Accountant IV	31184	N	0.25	22,455	22,455
AGS 881 LA	Arts Program Specialist II	32873	N	1.00	56,064	56,064
AGS 881 LA	Arts Program Specialist III	39045	N	1.00	58,296	58,296
AGS 881 LA	Arts Program Specialist II	36841	A	1.00	73,836	73,836
AGS 881 LA	Information Specialist III	45697	A	0.75	47,322	47,322
AGS 881 LA	Information Specialist III	45697	N	0.25	15,774	15,774
AGS 881 LA	Account Clerk III	45700	A	0.75	31,356	31,356
AGS 881 LA	Account Clerk III	45700	N	0.25	10,452	10,452
AGS 881 LA	Arts Program Specialist III	47047	N	1.00	60,660	60,660
AGS 881 LA	Arts Program Specialist III	48120	A	1.00	63,096	63,096
AGS 881 LA	Arts Program Specialist II	52285	A	1.00	56,064	56,064
AGS 881 LA	Arts Program Specialist II	52286	A	1.00	56,064	56,064
AGS 881 LA	Arts Program Specialist II	52287	A	1.00	58,203	58,203
AGS 881 LA	Arts Program Specialist III	52288	A	1.00	63,096	63,096
AGS 881 LA	Arts Program Specialist III	52290	A	1.00	65,664	65,664
AGS 881 LA	Executive Director, SFCA	100256	A	0.75	110,781	110,781
AGS 881 LA	Executive Director, SFCA	100256	N	0.25	36,927	36,927
AGS 881 LA	Arts Program Specialist II	112785	A	1.00	59,748	59,748
AGS 881 LA	Arts Program Specialist II	112788	A	1.00	63,096	63,096
AGS 881 LA	Arts Program Specialist III	122671	A	1.00	60,660	60,660



<b>AGS 881 LA</b>	Hawaii State Art Museum		A		1,857,580	1,857,580
<b>AGS 881 LA</b>	Interpretive Work		A		425,000	425,000
<b>AGS 881 LA</b>	Operating		A		201,923	201,923
<b>AGS 881 LA</b>	Consultant Services		A		35,000	35,000
<b>AGS 881 LA</b>	Registration		A		34,000	34,000
<b>AGS 881 LA</b>	Upkeep Services		A		29,530	29,530
<b>AGS 881 LA</b>	Display		A		285,580	285,580
<b>AGS 881 LA</b>	Transportation		A		19,085	19,085
		<b>Total</b>	A	17.50	4,028,811	4,028,811
			N	4.50	283,962	283,962

1           SECTION 8. 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 9. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11          SECTION 10. This Act shall take effect on July 1, 3000.



**Report Title:**

State Foundation on Culture and the Arts; State Art Museum; Performing Arts Grants Program; Performing Arts Grants Special Fund; Works of Art 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 and for the operations of the State Foundation on the Culture and the Arts. Includes additional funding sources for the State Art Museum. Clarifies that the Works of Art Special Funds shall only be used for costs related to the acquisition of works of art. Effective 7/1/3000. (PROPOSED HD2)

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

