

## CHAPTER 2022-162

### House Bill No. 5301

An act relating to the Capitol Complex; amending s. 265.111, F.S.; prohibiting the construction and placement of a monument on the premises of the Capitol Complex unless the design and placement of such monument is approved by certain persons after considering the recommendations of certain entities; amending s. 267.0612, F.S.; revising the entities to which the Florida Historical Commission shall provide certain recommendations; amending s. 272.09, F.S.; defining the term “Capitol Complex”; requiring the Department of Management Services to annually submit a report detailing the maintenance and upkeep for the Capitol Complex to the Governor and the Legislature by a specified date; providing specifications for the report; requiring the Department of Management Services to consult with the Governor and the Legislature before closing and reopening areas within the Capitol Complex during a declared state of emergency; prohibiting the department from closing or reopening areas within the Capitol Complex used for legislative business without the approval of the Legislature; providing an effective date.

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

Section 1. Subsection (2) of section 265.111, Florida Statutes, is amended to read:

265.111 Capitol Complex; monuments.—

(2) The construction and placement of a monument on the premises of the Capitol Complex, as defined in s. 281.01, is prohibited unless authorized by general law and unless the design and placement of the monument is approved, ~~by the Department of Management Services~~ after considering the recommendations of the Department of Management Services and the Florida Historical Commission, pursuant to s. 267.0612(9), by each of the following officers, or his or her designee:

- (a) The Governor.
- (b) The Attorney General.
- (c) The Chief Financial Officer.
- (d) The Commissioner of Agriculture.
- (e) The President of the Senate.
- (f) The Speaker of the House of Representatives.

The Department of Management Services shall coordinate with the Division of Historical Resources of the Department of State regarding a monument’s

design and placement subject to the division's powers and duties under s. 267.031.

Section 2. Subsection (9) of section 267.0612, Florida Statutes, is amended to read:

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

(9) The commission shall provide recommendations to the Governor, the Attorney General, the Chief Financial Officer, the Commissioner of Agriculture, the President of the Senate, and the Speaker of the House of Representatives ~~Department of Management Services~~ on the design and placement of monuments authorized by general law to be placed on the premises of the Capitol Complex pursuant to s. 265.111.

Section 3. Section 272.09, Florida Statutes, is amended to read:

272.09 Management, maintenance, and upkeep of Capitol Center.—

(1) For purposes of this section, the term "Capitol Complex" means the portion of the Capitol Center commonly referred to as the Capitol, the Historic Capitol, the Senate Office Building, the House Office Building, the Knott Building, the Pepper Building, and the curtilage of each, including the state-owned lands and public streets adjacent thereto within an area bounded by and including Monroe Street, Jefferson Street, Duval Street, and Gaines Street.

(2) The management, maintenance, and upkeep of the Capitol Center as described defined in s. 272.03; are hereby vested in and made the direct obligation of the Department of Management Services, which shall have authority to do all things necessary to satisfactorily accomplish these functions, including the employment of a superintendent of grounds and buildings and other employees; the establishment of central repair and maintenance shops; and the designation or appointment of nonsalaried advisory committees to advise with them.

(3) By December 1, 2022, and annually thereafter, the Department of Management Services shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report detailing the maintenance and upkeep for the Capitol Complex. The report must identify, for the last completed fiscal year, the current fiscal year, and the upcoming fiscal year:

(a) The Capitol Complex maintenance and repairs completed or planned.

(b) Any necessary structural modifications and major repairs to the Capitol Complex.

(c) The costs or cost estimates for all items identified in paragraphs (a) and (b).

(d) The schedule for commencement and completion of the items identified in paragraphs (a) and (b).

(4)(a) In response to a state of emergency declared pursuant to s. 252.36, the Department of Management Services must consult with the Governor, the President of the Senate, and the Speaker of the House of Representatives before closing or reopening access to any portion of the Capitol Complex to the public or to the employees assigned to work in that portion of the Capitol Complex.

(b) The Department of Management Services may not close or reopen access to any portion of the Capitol Complex used for legislative business without the approval of the President of the Senate and the Speaker of the House of Representatives.

Section 4. This act shall take effect July 1, 2022.

Approved by the Governor June 2, 2022.

Filed in Office Secretary of State June 2, 2022.