



## 2023 State Legislative Roundup

Tracking Legislation Affecting State Arts Agencies

**NASAA** NATIONAL ASSEMBLY of  
STATE ARTS AGENCIES

Knowledge ▲ Representation ▲ Community

Every year, state legislatures around the country consider hundreds of bills relevant to state arts agencies (SAAs) and the cultural sector. As states forecast slowing revenue growth and the winding down of federal COVID-19 pandemic aid, many legislatures are considering the cross-sector role of arts and culture in bolstering economic development, improving educational outcomes, supporting health and well-being, and addressing historical socioeconomic inequities. For these reasons, the amount of legislation tracked by the National Assembly of State Arts Agencies (NASAA) has significantly increased: we tracked 315 impactful arts and culture bills in 2023.

This roundup summarizes 79 of the most important bills considered in state legislatures in 2023.

We highlight current legislative trends across eight categories of cultural policy and conclude the report with a short overview of arts and cultural legislation from the past nine years.

NASAA's annual Legislative Roundup is designed to help SAA staff and council members, arts advocates, local arts councils, and other stakeholders understand the cultural policy landscape and inform efforts toward policy innovation and diffusion at the state level. To this end, this report considers a large volume of legislation, including bills that could foster the arts as well as those that could have negative, neutral or uncertain impact. Likewise, it includes enacted and failed bills as well as those at other stages of the legislative process at the time of writing.<sup>1</sup>

Throughout the year, NASAA tracks relevant legislation in every state, monitors news sources and, most importantly, listens to members about legislation affecting their agencies and departments. If you learn of a bill that is important to your agency—or that may be informative to

**Contents**

---

[Bill Status by Category](#) (graph) ..... **3**

[Bill Status by State](#) (graph) ..... **4**

[Highlights of Individual Bills](#) ..... **5**

[SAA Structure and Governance](#) ..... 5

[SAA Dedicated Revenue](#) ..... 6

[Public Art and Public Space](#) ..... 7

[Cultural Districts and Creative Economy](#) ..... 10

[Arts Education](#) ..... 14

[Other SAA Policy Directives](#) ..... 16

[COVID-19](#) ..... 17

[Diversity, Equity and Inclusion](#) ..... 18

[Recent Trends in State Legislation](#) ..... **21**

[For More Information](#) ..... **22**

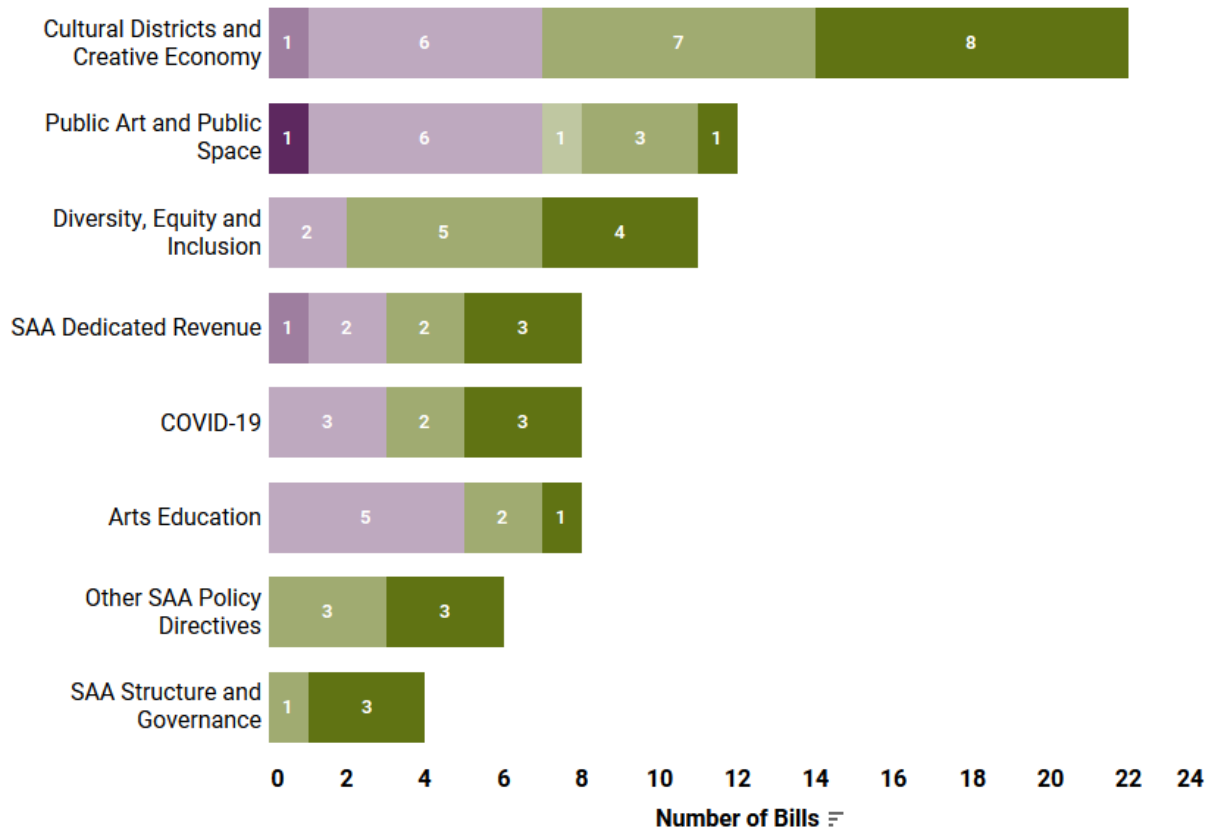
---

<sup>1</sup> In this report, a bill *in committee* has been introduced to one chamber of a state legislature and is in committee but not yet engrossed. An *engrossed* bill has passed one chamber and has been sent to the other chamber for consideration. An *enrolled* bill has passed both chambers and has been sent to the governor. An *enacted* bill has been signed by the governor and has become law. A *vetoed* bill has been rejected by the governor. A bill not enacted before a legislature's adjournment or recess is effectively dead unless the legislature reconvenes in a special session to consider it. A *resolution* is a mechanism for legislative expression that is typically nonbinding; resolutions aren't enacted but *passed*, as they become operative upon approval of both legislative chambers and don't require the governor's signature. Other state-specific status terms are used as appropriate.

other SAAs—NASAA would like to know about it. You can share legislative information by contacting NASAA Research Associate [Declan Wicks](#). Likewise, if you are interested in initiating legislation in your own state, NASAA can help by identifying sample bills and information on similar efforts in other states.

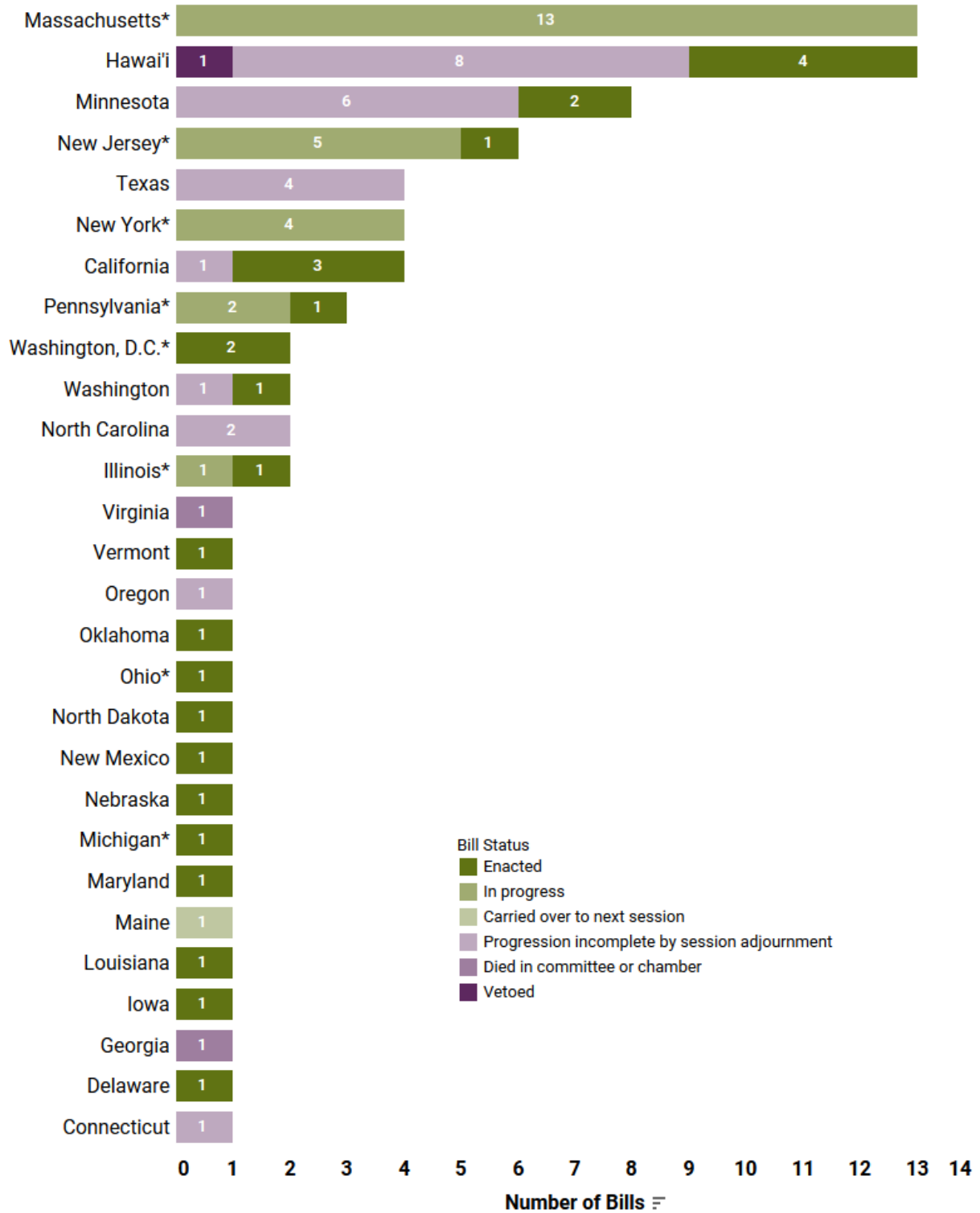
## Legislative Status of Bills, Summarized by Category

### Primary Bill Category



- Bill Status
- Enacted
  - In progress
  - Carried over to next session
  - Progression incomplete by session adjournment
  - Died in committee or chamber
  - Vetoed

## Legislative Status of Bills, Summarized by State



\* State's legislature was in session during the final review of legislation (December 2023).

# Highlights of Individual Bills

## State Arts Agency Structure and Governance

State arts agencies can experience structural changes driven by political philosophies, administrative reorganizations or other factors. NASAA watches closely for legislation that would alter the core authority of SAAs as well as their placement within state government.

Three states addressed their state arts agency councils, with one state enacting new requirements for membership representation and another enacting basic technical changes to ensure smoother operation. The largest structural change occurred in Iowa, where the Iowa Arts Council was reorganized into the state's Economic Development Authority.

### Delaware

[S.B. 136](#)—Updating Council Member Terms and other Technical Changes

**Status:** Enacted

**Summary:** S.B. 136 provides small language changes to the enacting legislation of the Delaware State Arts Council and adjusts Council procedures. Changes include:

- selection of the chairperson by the Council rather than the governor
- that the governor may remove members for neglect of duty
- quorum is established as a simple majority
- the Council may form subcommittees and assist with the grant review process if requested
- clarification of the role of the Delaware Division of the Arts in supporting the Council

### Hawai'i

[H.B. 478](#)—New Requirements for Council Membership Representation

**Status:** Enacted

**Summary:** This legislation expands on the membership requirements for the Hawai'i State Foundation on Culture and the Arts. The governor is now required to appoint members who have demonstrated accomplishment or expertise in culture, arts, history and the humanities and are familiar with the people and cultures of Hawai'i. At least one appointee must also have a background or experience in each of the following: neighbor island communities, Native Hawaiian culture and diversity, and urban design and public infrastructure.

### State Arts Agency Placement

State arts agencies occupy a variety of structural positions within state government, ranging from cultural resource departments to the office of the governor. After the most recent legislative session, eight SAAs now reside within economic development departments. For more information, see NASAA's research on [SAA structure](#).

## Iowa

[S.F. 514](#)—Reorganizing the Iowa Arts Council into the Economic Development Authority

**Status:** Enacted

**Summary:** S.F. 514 removes the Iowa Department of Cultural Affairs and places the Iowa Arts Council within the Iowa Economic Development Authority.

## New York

[S. 7926](#)—Arts Council Geographic Representation Requirements

**Status:** Introduced

**Summary:** Senate bill 7296 would require the New York State Council on the Arts to have a council member from each of the 10 regions of the state as defined by the Empire State Development Corporation.

## State Arts Agency Dedicated Revenue

Every state arts agency secures [Partnership Agreement funding](#) from the National Endowment for the Arts and [appropriations from its state legislature](#). Some SAAs, however, have additional sources of dedicated funding, such as a cultural trust or a designated stream of tax revenue, that are legislatively authorized. In 2023, two state legislatures enacted changes to the formulas used to determine minimum annual funding levels. States also considered, but did not ultimately pass, new gambling and license plate revenues and a change to funding distributions that would have split funding between the state arts agency and the state's regional arts councils.

## Georgia

[H.R. 210](#)—Gambling Arts Mitigation Fund

**Status:** Died in committee

**Summary:** This bill would have dedicated 2% of proceeds derived from taxes on sports betting, pari-mutuel betting and casino gambling for the state's Cultural and Performing Arts Mitigation Fund, to be disbursed to support performing arts centers impacted by gambling.

## Maryland

[S.B. 167](#)—Adjustments to Annual MSAC Funding Formula

**Status:** Enacted

**Summary:** This legislation clarifies and makes changes to the calculation used for determining the annual funding for the Maryland State Arts Council (MSAC). For 2024, the governor is instructed to include in the annual budget bill an appropriation that is equal to at least the preceding year's appropriation plus the general fund growth adjustment, which is the percentage by which the projected total general fund revenues exceed the revised estimate of the current-year total general fund revenues. Starting in 2025, the governor's appropriation also must add the general fund growth adjustment amount derived from another specific tax revenue source.

### Dedicated Revenue

NASAA's [SAA Dedicated Revenue Strategies Policy Brief](#) offers an overview of the multiple state and private funding mechanisms that support SAAs. NASAA also provides a state-by-state overview of the following strategies:

- [Specialty License Plates](#)
- [Special Taxes and Fees](#)
- [Lottery and Gaming Taxes](#)

## Massachusetts

[S. 2223](#) and [H. 3904](#)—Arts License Plate

**Status:** Introduced

**Summary:** This legislation would create an arts license plate to fund the Massachusetts Cultural Council, with a minimum fee of \$50. The design for the license plate would be judged by Mass Cultural Council or its designee.

## Minnesota

[S.F. 1735](#) and [H.F. 313](#)—Redistribution of Arts Board Funding to Local Arts Councils

**Status:** In committee at session adjournment

**Summary:** S.F. 1735 and H.F. 313 would have mandated that the funding for arts from the state's arts and cultural heritage fund be split equally between the Minnesota State Arts Board and each of the state regional arts councils. The regional arts councils would have then received a distribution on a per capita basis. Currently the appropriation distribution is left to the regional arts councils and the State Arts Board to decide.

## Washington, D.C.

[B. 25-202](#) and [B. 25-320](#)—Annual Funding Formula Changes, Revenue Distribution and Capitol Grant Adjustments

**Status:** Enacted

**Summary:** The legislation amends the revenue stream from sales and use tax to fund the D.C. Commission on the Arts and Humanities, allocating the lesser of 5% of unused sales tax or 102% of the previous year's sales tax allocation until 2027.

Budget Support Acts B. 25-202 and B. 25-320 also amend the D.C. Commission on the Arts and Humanities budget by reducing the allowable administrative and other grant program costs to create a new capital grant program. The new program will provide capital grants of value greater than \$900,000. The legislation also restricts general operating support grants from funding more than 50% of an organization's budget (not including district funds) if the organization's budget exceeds \$115,000.

## Public Art and Public Space

States foster the exhibition of art in public spaces to generate opportunities for artists, increase access to culture, and enliven government buildings, town squares and other community spaces. Many state arts agencies support public art through a percent for art program, through which a small portion (typically one percent) of the capital costs of constructing or renovating state-owned buildings is set aside to underwrite public art. These programs generally have statutory authorization, which makes them vulnerable to legislative challenges. In 2023, states debated existing percentages for public art programs and considered allowing performance art and private display of art as part of eligible funding for percent for art programs. One state examined artistic representation within the state capitol while another passed legislation increasing the minimum annual appropriation for its art in state buildings program. Two states introduced legislation to create public art funds and grant programs.

## Hawai'i

[H.B. 34](#)—Restrictions on Works of Art Special Fund

**Status:** In committee at session adjournment

**Summary:** House Bill 34 would have eliminated the renovations of state buildings from triggering the state's one percent for art requirement.

## Hawai'i

[H.B. 475](#) and [S.B. 119](#)—Art in Private Places and Performing Arts Committee and Pilot

**Status:** Vetoed and Introduced, respectively

**Summary:** H.B. 475 would have created the Art in Private Places and Performing Arts Committee, which would have included the executive director of the Hawai'i State Foundation on Culture and the Arts alongside legislators and members of the public. The committee would have overseen a new art in private places (non-state-owned, publicly accessible areas and city and county buildings) pilot program and performing arts pilot program, and the legislation would have created a new fund for revenue, gifts and appropriations to support performing arts events. The pilot program would have been developed under the Art in Public Places statute and create an additional one full-time staff position.

S.B. 119 would have created only the Performing Arts Pilot Program Committee and appropriated \$1 million in funding for grants for the new performing arts pilot program.

## Hawai'i

[H.B. 476](#)—Allowing Performing Arts in Art in Public Places

**Status:** In committee at session adjournment

**Summary:** H.B. 476 would have allowed for works of art created through the state's percent for art program—Art in Public Places—to fund performing arts as long as the performance was recorded, archived and maintained by the Hawai'i Foundation on Culture and the Arts or the state art museum. The legislation also would have required the Works of Art special fund to use 40% of the fund for performing arts.

## Hawai'i

[H.B. 1496](#) and [S.B. 1120](#)—Art Loans to Counties and Private Organizations

**Status:** In committee at session adjournment

**Summary:** Bills 1496 and 1120 would have amended the Art in Public Places and Relocatable Works of Art Programs to allow for the creation of an art loan program to counties and private organizations. Senate Bill 1120 also would have allowed for fees to be collected as part of the art loan program and deposited with the state's percent for art program. Both bills would have added a selection preference for artists residing in Hawai'i to the state's works of art special fund.

## Public Art Resources

For more information on state arts agency public art and percent for art programs, refer to NASAA's [Percent for Art State Policy Brief](#). For individual state programs, see NASAA's [Public Art Resources](#). NASAA provides an overview of public art and equity in the report, [Diversity, Equity and Inclusion in State Arts Agency Public Art Programs](#).



## Hawai'i

[S.B. 282](#)—Change Percent for Art from 1.0% to 0.5%

**Status:** In committee at session adjournment

**Summary:** Senate Bill 282 would have reduced the percent for art mandatory appropriation from 1.0% to 0.5%.

## Maine

[L.D. 669](#)—\$6 Million for Maine Arts Commission Public Art Fund

**Status:** Enrolled, carried over

**Summary:** This legislation would have created the Public Art Fund, an interest-bearing and nonlapsing general fund account. The Maine Arts Commission would have administered the fund and would have been charged with using the money for public art installation grants and public performance arts grants. The legislation would have appropriated \$6 million for the fund. The legislation has been carried over into the 131st Legislature.

## Massachusetts

[S. 2187](#) and [S. 2195](#)—Commission on Representation in Artwork in State House

**Status:** Introduced

**Summary:** Bills 2187 and 2195 both concern the creation of a commission to plan for and address artwork in the state house. Bill 2187 would create a special legislative commission on artistic representation to review racially or culturally insensitive art, murals or exhibits within or around the state house and promote diverse representation of the people of Massachusetts. The executive director of Mass Cultural Council or their designee would have a seat on the commission. Bill 2195 would instead create a special commission to develop and execute a master plan and program to restore and preserve the state house and grounds. Mass Cultural Council would not have representation on this commission.

## Pennsylvania

[H.B. 903](#)—\$10 Million for Public Arts Grant Program

**Status:** Introduced

**Summary:** House Bill 903 would establish a statewide public art grant program and art fund under the commonwealth's Department of Community and Economic Development. Grants would be directed toward nonprofit community organizations and artists to support the creation of public art that is accessible to the public and depicts or benefits historically marginalized communities. Grant awards would be limited to \$100,000 and an initial appropriation of \$10 million would be made.

## Vermont

[H. 102](#)—Increase to Art in State Buildings Appropriation

**Status:** Enacted

**Summary:** This legislation increases the annual funding appropriation for the state's Art in State Buildings program from a maximum of \$50,000 to a new minimum of \$75,000, to be requested in the Commissioner of Buildings and General Services biennial capital budget.

## Cultural Districts and Creative Economy

The 26 bills affecting cultural districts and the creative economy included a range of policy decisions that sought to promote the arts as a tool for economic development, job creation or creative placemaking. Enacted legislation addresses affordable housing and living wages for artists, statewide creative economic planning, the expansion of creative placemaking grant programs, renewing sales tax exemptions for artwork, and the establishment of a new creative industries fund within the state economic development department. Other legislation contemplated new tourism and arts programming and grant making to support economic development.

### California

[A.B. 127](#)—Creative California Economic Workgroup

**Status:** Enacted

**Summary:** This legislation requires the California Arts Council (CAC) to establish the California Creative Economy Workgroup to develop a strategic plan for California's creative economy. The work group will consist of the CAC director or their designee and invited stakeholders representing the California State Association of Counties, the League of California Cities, five representatives from California's arts communities, a public institution of higher education or a nonprofit research institution, the Governor's Office of Business and Economic Development, the Secretary of Labor and Workforce Development, and a federally recognized Indian tribe. Four ex officio nonvoting members are to be selected by the senate and assembly.

The work group will have a wide-ranging purview to develop a plan to improve the competitiveness of the California creative economy, attract creative economy businesses, retain talent, and develop marketable content for national and international exportation. The 2023-2024 budget bill, [S.B. 101](#), appropriated \$1 million in funds for the working group.

In addition, A.B. 127 extends the repeal date of the California Nonprofit Performing Arts Grant Program to June 30, 2024.

### California

[A.B. 812](#)—Affordable Housing for Artists

**Status:** Enacted

**Summary:** Assembly Bill 812 allows a city or county that requires that a certain percentage of development be affordable housing to set aside up to 10% of those required affordable housing units for artists. Only developments within one-half mile from a state-designated cultural district or similarly locally designated cultural district must comply, and the city must adopt an ordinance that includes a vetting process for artists.

### California

[A.B. 1382](#)—Cultural District Program Staff and Advisory Group

**Status:** In committee at session adjournment

**Summary:** Assembly Bill 1382 would have required the California Arts Council to designate a staff position for supporting the statewide cultural district program and would have allowed future appropriations for cultural districts to be used for staff, analysis, planning, evaluation, assistance and expansion of the program. The legislation also would have created an interdepartmental

advisory group with other agencies, like the Department of Parks and Recreation and the Department of Transportation, to support state-designated cultural districts. The advisory group would work with Visit California to promote tourism to state-designated cultural districts.

## California

[S.B. 104](#)—Funding for Equitable Payroll Legislation

**Status:** Enacted

**Summary:** Budget bill S.B. 104 contains the funding necessary to implement the previously enacted Equitable Payroll Fund legislation from 2022 ([S.B. 1116](#)). The budget bill directs \$11.5 million in unused funds from the Nonprofit Performing Arts and California Venues grant programs to launch a pilot of the Equitable Payroll Fund, which is designed to assist small nonprofit performing arts organizations in hiring and retaining employees by supporting a percentage of payroll.

### State Creative Economy Data

State arts agencies actively measure and support creative workers and creative industries in their states. More information on the economic value of the arts and creativity by state can be found on [NASAA's Creative Economy page](#).

## Connecticut

[H.B. 6692](#)—Tourism and Grant Changes

**Status:** In committee at session adjournment

**Summary:** This legislation would have expanded on the Department of Economic and Community Development's work with respect to arts activities, adding language that would have clarified the ability of the department to grant or loan for the purpose of statewide marketing, infrastructure and workforce development. The department would have been directed to identify strategic goals, establish metrics and develop an accountability structure for any such grant programs.

## Hawai'i

[H.B. 473](#)—Living Wages for Creative Workforce Grant

**Status:** In committee at session adjournment

**Summary:** House Bill 473 would have appropriated an undefined sum to support \$25,000 grants to eligible nonprofit arts and culture organizations to support the living wage of one or more staff.

## Hawai'i

[S.B. 822](#)—Creative District Establishment

**Status:** In committee at session adjournment

**Summary:** Senate Bill 822 would have created a process for the Hawai'i State Foundation on Culture and the Arts to certify creative districts, via a new advisory committee, upon the application of more than 50% of landowners and lessees in a contiguous area. The legislation also would have developed an income tax credit on the gross proceeds attributable to the designated creative district. Counties would have been able to enact incentives, such as expedited permit processing and property tax exemptions, for creative districts.

## Louisiana

[S.B. 227](#)—Sales Tax Exemption for Art and Digital Art

**Status:** Enacted

**Summary:** Senate Bill 227 defines digital art and adds it to the list of tax-exempt art mediums within cultural districts. However, the current state tax exemptions (but not local exemptions) related to cultural districts are suspended until 2025 by previous legislation.

## Massachusetts

[S. 3244](#) and [S. 2914](#)—Arts Tourism Grant Fund

**Status:** Introduced

**Summary:** This legislation would create the Cultural Tourism Marketing Fund program to be administered by the Massachusetts Office of Tourism and Travel in consultation with Mass Cultural Council. The program would elevate the cultural, geographic and creative diversity in Massachusetts. Grant criteria would include geographic and cultural diversity and organizations, events, or programs that seek to amplify the stories of historically marginalized or underrepresented cultures. Funding for the Cultural Tourism Marketing Fund would be no less than one percent of the annual receipts of the Tourism Fund.

## Massachusetts

[H. 3246](#) and [S. 2190](#)—Placemaking and Percent for Art

**Status:** Introduced

**Summary:** Bills 3246 and 2190 would define creative placemaking as "the active care and maintenance of a place and its social fabric by the artists and people who live and work there...." The legislation would then create a Program for Local Art and Community Engagement (PLACE) fund to promote art in public places. Half of one percent of public construction and renovation funds for Massachusetts-owned, -managed or -occupied buildings would be allocated to the PLACE fund for public art. One-quarter of one percent of state funds for new building or construction projects over \$200,000 also would be allocated to the PLACE fund. A new PLACE commission would be established to administer the percent for art program in consultation with the Department of Housing and Community Development and Mass Cultural Council.

## Michigan

[H.B. 4437](#)—Creative Workforce Development and Neighborhood Talent Concentration Pilot

**Status:** Enacted

**Summary:** This legislation appropriates \$5 million for a talent investment pilot grant program, to be administered by the Department of Labor and Economic Opportunity. The program's goal is to increase young talent in the workforce through creating high-density, high-amenity, walkable, vibrant-street-life neighborhoods and business ownership opportunities. Grants can support a series of projects, including artwork, and recipients should be selected in collaboration with the Michigan Arts and Culture Council, among other state agencies.

## Nebraska

[L.B. 727](#)—Increased Eligibility for Arts and Culture Grant Program

**Status:** Enacted

**Summary:** Legislature Bill 727 expands the state's Arts Cash Fund eligibility—which is supported by sales tax revenue from sports arena facilities—to include creative districts within cities of the second class (population of 800 to 5,000) and villages as eligible recipients for arts and cultural development grants. The minimum grant award is reduced from \$1.5 million to \$100,000.

Creative districts within cities of the second class and villages also are made eligible for grant assistance under the Civic and Community Center Financing Act. The legislation also allows privately owned concert venues to use awarded state assistance to promote public arts and cultural events for up to 10 years.

### Ticket Sales Legislation

Although not typically under the purview of state arts agencies, legislation that affects and regulates the sale of event tickets impacts the larger arts and culture sector. Recent events have encouraged action to limit fraud and protect consumers while dealing with advances in technology. For more information, see the National Conference of State Legislatures's [Event Ticket Sales Legislation tracker](#) or contact [NASAA](#).

## New Jersey

[A. 5001](#) and [S. 3387](#)—New Arts Grant Program

**Status:** Introduced

**Summary:** This legislation would redirect \$21.7 million in dedicated state funds and \$5 million in dedicated American Rescue Plan Act funds to a new program to support the arts: the Arts, Cultural and Historic Organizations Fund. The secretary of state's office (the New Jersey State Council on the Arts's parent agency) would be tasked with establishing program details and administering the grant.

## New Jersey

[A.R. 79](#)— Urging Local Goods in Parks and Historic Sites

**Status:** Passed

**Summary:** Introduced last year, this assembly resolution was passed in 2023. It urges the New Jersey Division of Parks and Forestry to market and offer for sale varying goods, including art and craft work made by New Jersey based artists, at parks and historic sites. The resolution encourages the New Jersey State Council on the Arts to assist in generating participation in the program.

## New Mexico

[H.B. 8](#)—Creative Industries Division

**Status:** Enacted

**Summary:** House Bill 8 establishes a new Creative Industries Division within the Economic Development Department. The new division is tasked with advancing the creative economy and is instructed to collaborate with the Cultural Affairs Department, among others. A new Creative Industries Fund is established to support the Creative Industries Division and its grant making, and \$2 million in one-time funding was appropriated through the state's [budget bill](#). Grants will

prioritize projects with broad local support, assistance for small businesses, expansion of existing creative industries, and the promotion of inclusion and diversity.

## Pennsylvania

[H.B. 292](#)—Municipal Cultural Districts

**Status:** Introduced

**Summary:** The Cultural Development District Act would enable municipalities to establish cultural development districts. Residents and businesses within the district would be eligible for tax abatements, and the cultural districts would automatically sunset after five years. The Department of Community and Economic Development of the commonwealth would administer the program and oversee certification.

## Texas

[S.B. 2505](#) and [S.B. 2507](#)—Creative Workforce and Cultural Advancement Fund

**Status:** Introduced

**Summary:** Senate Bill 2505 would direct the Texas Commission on the Arts to establish and administer the Cultural Advancement Fund, which would hold monies appropriated by the legislature, interest on the investments, and gifts or other donations. The fund would support a new Cultural Advancement Fund Grant for entities that spur economic development through cultural advancement. The grant would follow a general operating support model and fund any expense needed to promote cultural advancement. S.B. 2507 would support a similar Cultural Advancement Workforce Development fund with a similar scope.

## Virginia

[H.B. 2376](#)—Creative Economy Fund and Grant Program

**Status:** Died in committee

**Summary:** This bill would have created the Virginia Creative Economy Grant fund to support competitive grants to independent content creators and creative entrepreneurs to further develop the creative economy. The grant program would have been administered by the Virginia Economic Development Partnership Authority in collaboration with the Virginia Commission for the Arts.

## Arts Education

Legislative action on arts education in 2023 typically supported increased opportunities and accessibility for students. As states continue to recognize the [value of a strong arts education](#), legislatures continue to codify the educational merit of arts and culture. Multiple states considered increasing appropriations for arts education programming and requiring elementary school music and visual art instruction. One state added media arts to their arts education curriculum and developed new licensure requirements for arts teachers.

## Illinois

[H.B. 1599](#)—\$20 Million in New Arts Education Programming

**Status:** Introduced

**Summary:** House Bill 1599 would appropriate \$10 million to the State Board of Education for after-school, arts based program grants in schools with a low-income pupil count greater than 70%. An

additional \$10 million would be appropriated to the Illinois Arts Council for community arts education and art therapy programs in census tracts that are 125% below the poverty level.

## Minnesota

[H.F. 2497](#)—Curriculum and License Changes

**Status:** Enacted

**Summary:** This legislation covers comprehensive changes to education policy, such as adding media arts to the allowable arts offerings and allowing performing and visual arts teachers to acquire Tier 1, 2 and 3 licenses without a bachelor's degree following five years of relevant work experience.

## New Jersey

[A. 651](#)—Incarcerated Arts Program

**Status:** Introduced

**Summary:** This bill would direct the Juvenile Justice Commission to establish an arts education pilot program in consultation with the New Jersey State Council on the Arts. The pilot would last for five years, with the goal of providing three model arts education programs for innovative arts based programming.

## North Carolina

[H.136](#)—Arts Proficiency High School Diploma

**Status:** Engrossed

**Summary:** Bill 136 would require the State Board of Education to create an arts proficiency high school diploma endorsement with the goal of encouraging well-rounded, high-quality arts education. The endorsement would at minimum require four arts credits and 40 hours of arts related extracurriculars.

## North Carolina

[H. 498](#)—Elementary Music and Visual Arts Education

**Status:** Introduced

**Summary:** House bill 498 would require each local school to provide music and visual arts instruction to all K-5 students at least once per week.

## Texas

[H.B. 3829](#) and [S.B. 2084](#)—Fine Arts Allotment

**Status:** Introduced

**Summary:** These bills would create a fine arts allotment for grades 6-12 in which schools would receive extra funding based on student enrollment in fine arts. Education in Texas is funded based on student attendance, and the total extra amount allotted for funding education would depend on the number of students enrolled in fine arts classes by grade.

## Washington

[H.B. 1819](#)—Music Arts Education

**Status:** In committee at session adjournment

**Summary:** This legislation would have required school districts to provide 100 minutes per week of music instruction to students in grades 1-5. The Washington state school directors' association would have been tasked with adopting a model policy and procedure to implement the new music education requirements.

## Other State Arts Agency Policy Directives

State legislatures have the authority to enact arts focused policy directives and task state agencies with implementing them. In 2023, two states considered adding new arts laureate positions, with one successfully enacting the legislation. One state passed legislation that relies on its state arts agency to assist in developing new state songs, and another state added new reporting requirements for fiscal agents receiving specific state funds.

## Massachusetts

[H. 3247](#), [S. 2193](#), and [S. 2196](#)—Poet, Musician and Choreographer Laureate

**Status:** Introduced

**Summary:** House bill 3247 would create the position of state poet laureate, to be appointed by the governor. The poet laureate would be responsible for increasing appreciation of reading and writing poetry within the state. A newly created poet laureate nominating committee would submit recommendations to the governor biennially. Two members of the Mass Cultural Council board would have seats on the nominating committee.

Senate bill 2193 would create a musician laureate, who also could act as the governor's advisor on musical matters. The musician laureate nominating committee would include one member of the Mass Cultural Council board. Likewise, S. 2196 would create the position of state choreographer laureate, that lasts for four years, and a nominating committee. The executive director of Mass Cultural Council or their designee would sit on the committee. The choreographer laureate would be entitled to reimbursement up to \$1,000 per year, as well as market value compensation for any associated dancers at state-sponsored performances.

## Minnesota

[H.F. 1999](#)—Budget and Grantee Reporting Requirements

**Status:** Enacted

**Summary:** House Bill 1999, which predominantly focuses on budget allocations, also adds new reporting requirements for any fiscal agent that receives funding from the Arts and Cultural Heritage Fund. The reports must cover financial details and include an assessment of whether the funding celebrates cultural diversity or reaches diverse communities.

## North Dakota

[S.B. 2338](#)—State Poet Laureate

**Status:** Enacted

**Summary:** Senate Bill 2338 creates a state poet laureate and respective poet laureate nominating board. One member of the North Dakota Council on the Arts (NDCA), appointed by the council chair,



would sit on the nominating board. Three finalists would be recommended each odd-numbered year and asked to apply to the board. The board will select the poet laureate, who shall then participate in at least four public events each year, to be reimbursed up to \$5,000 per year by NDCA.

## Pennsylvania

[H.R. 41](#)—State Song Committee

**Status:** Passed

**Summary:** This resolution establishes the Pennsylvania State Song Commission to study the history of the state song and solicit new submissions. A representative from the Pennsylvania Council on the Arts will sit on the commission.

## COVID-19

While most states have obligated the majority of federal COVID-19 pandemic recovery funds, legislatures and executive branches continue to address the long-term impact of the pandemic. Alongside federal funds from the American Rescue Plan Act, which must be obligated by December 31, 2024, states have tapped into supplemental funding sources and bolstered innovative recovery and relief programs to energize the creative economy and mitigate the effects of the pandemic.

Because this list focuses solely on legislative action (and does not include executive orders), it is not comprehensive of the actions taken by states in response to COVID-19. NASAA's [State Arts Agency Revenues: Fiscal Year 2023](#) report contains information on FY2022 and 2023 supplemental COVID-19 funding. For more information on gubernatorial actions, from supplemental relief to reopening policies, [contact NASAA](#).

## Illinois

[S.B. 250](#)—\$48 Million for Relief and Recovery of the Creative Sector

**Status:** Enacted

**Summary:** Senate Bill 250 reappropriates \$48.8 million from the State Coronavirus Urgent Remediation Emergency Fund to the Department of Commerce and Economic Opportunity for creative-sector economic recovery. The funding will follow American Rescue Plan Act regulations and provide relief from business interruption and other impacts of the COVID-19 pandemic.

## Minnesota

[H.F. 2844](#) and [S.F. 2867](#)—COVID-19 Relief for Live Entertainment

**Status:** In committee at session adjournment

**Summary:** These bills would have created a new grant program to support nonprofits and businesses that present live entertainment. The Minnesota State Arts Board (MSAB) would have administered the grant, which would have required eligible grantees to have received previous funding from MSAB or a Shuttered Venue Operators grant. The legislation would have appropriated \$12 million, of which \$9 million would have gone to the grant program, and the additional funding would have supported outreach, regional arts councils and research.

## New Jersey

[A. 4233](#) and [S. 2800](#)—\$70 Million for Cultural Associations

**Status:** Introduced

**Summary:** Assembly bill 4233 and Senate bill 2800 would appropriate \$70 million in American Rescue Plan Act funds to the New Jersey Economic Development Authority (EDA) to grant to arts and culture organizations. The EDA would work in consultation with the New Jersey State Council on the Arts to award \$40 million of the funds for financial recovery and \$10 million for arts education. The additional \$20 million would fund grants for creative placemaking.

## Ohio

[S.B. 10](#)—Technical Changes to Relief Grant Applications

**Status:** Enacted

**Summary:** Senate Bill 10 removes the requirement that performing arts applicants to the previously established COVID-19 pandemic relief grant have an annual, independent audit.

## Oklahoma

[H.B. 2941](#)—\$10 Million for Arts Recovery

**Status:** Enacted

**Summary:** This legislation appropriates \$10 million in American Rescue Plan Act funds to the Oklahoma Arts Council to address the negative impacts of the COVID-19 pandemic. Two percent of the funds may be used for administration of the program, and OAC must submit quarterly reports detailing the administration of the funds.

## Oregon

[H.B. 2459](#)—\$50 Million for Supplemental COVID-19 Funding

**Status:** In committee at session adjournment

**Summary:** House Bill 2459 would have appropriated \$50 million in supplemental COVID-19 funding to the Oregon Business Development Department (OBDD). The funding would have been split into \$23 million for line items for arts and cultural organizations and \$27 million for a new competitive arts and culture relief grant program. The OBDD would have had to consult with the Oregon Cultural Trust board.

## Diversity, Equity and Inclusion

Although initiatives that foster diversity, equity and inclusion practices can exist across all the categories of legislation presented above, state legislatures are considering bills that specifically address histories of inequality and discrimination. The following bills would take proactive measures to include more equitable practices involving arts and culture across state arts agency founding statutes, grant making and arts accessibility.

## Hawai'i

[H.C.R. 108](#), [H.R. 114](#), [S.R. 196](#)—Native Hawaiian Intellectual Property Working Group

**Status:** Passed

**Summary:** This set of resolutions urges the establishment of a Native Hawaiian Intellectual Property Working Group, on which a representative of the Hawai'i State Foundation on Culture and the Arts would sit.

## Massachusetts

[H. 151](#) and [S.113](#)—Creative Economy Accessibility Grant

**Status:** Introduced

**Summary:** These bills would create a fund for a new Accessibility in the Creative Economy grant program. The program would be administered by the Office on Disability and would target capital improvements and projects to support programmatic access in for-profit, nonprofit and public organizations. At least half of one percent of funds appropriated to the Executive Office of Health and Human Services would go toward this program. A new board, on which the executive director of Mass Cultural Council would sit, would be created to make recommendations for administration of the grants.

## Minnesota

[H.F. 2615](#) and [S.F. 2187](#)—Arts and Culture Accessibility Grants

**Status:** In committee at session adjournment

**Summary:** House Bill 2615 and Senate Bill 2187 would have instructed the commissioner of employment and economic development to establish a new arts and cultural economy capital grant program. The legislation would have appropriated \$50 million, which would have been granted to a regranter for the purpose of supporting Americans with Disabilities Act-complaint capital projects at arts and cultural facilities.

## New York

[A. 3059](#) and [S. 5265](#)—Public Access for Museums

**Status:** Introduced

**Summary:** This legislation would require the Department of Economic Development, in conjunction with the New York State Council on the Arts and other state agencies, to conduct a study on increasing public access to museums in New York.

## Divisive Concepts Bills

Numerous state legislatures continue to consider bills defining the types of diversity, equity and inclusion training that public entities (such as state agencies, state universities and K-12 public schools) can deliver. Often phrased as "divisive concepts" bills, these statutes typically contain provisions that restrict some forms of anti-racism training, classroom curricula and contracting. Because they do not explicitly reference the arts, this Legislative Roundup does not include details on such bills. However, NASAA monitors this as a policy topic that has the potential to affect certain aspects of state arts agency operations. For more information, contact [NASAA](#).

## New York

[S. 5714](#)—Social and Racial Justice as Priority Areas

**Status:** Engrossed

**Summary:** Senate bill 5714 would recognize that lack of access to cultural and arts performances is exacerbated by racial and social inequities and would direct the state to promote greater access, diversity, equity and inclusion. To this end, appointments to the New York State Council on the Arts's (NYSCA) board would have added considerations for diversity, historic inequities and engagement in equitable programming. The legislation also would add "cultural preservation and development, racial and social justice" to the powers and duties of NYSCA alongside other technical language additions that would direct the agency to further support culturally diverse nonprofits, access, diversity, equity, inclusion, and racial and social justice.

## Washington

[S.B. 5187](#)—Tribal Cultural Affairs and COVID-19 Pandemic Aid

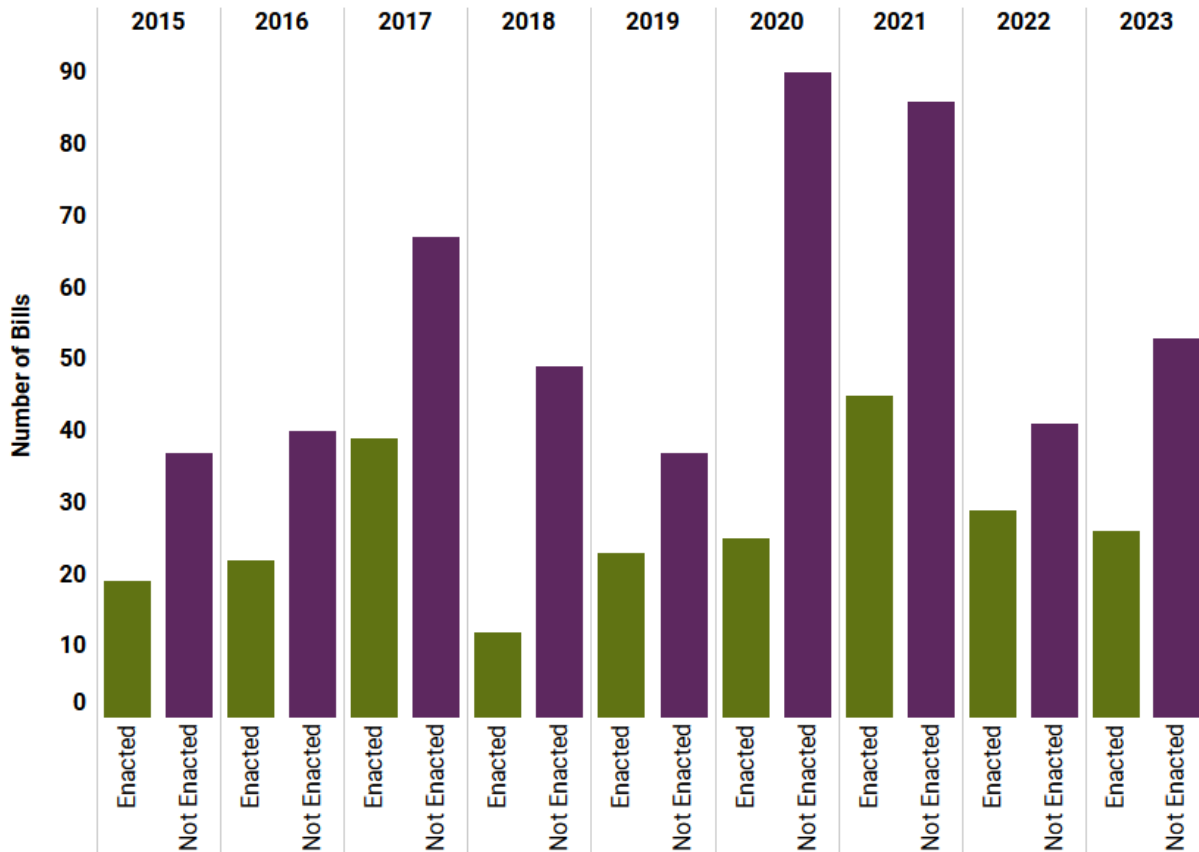
**Status:** Enacted

**Summary:** As part of Washington's 2024-2025 fiscal operating appropriations, the legislature has allocated \$1.7 million in funding for the establishment of a Tribal Cultural Affairs program within the state arts agency, ArtsWA. The funding is to be split evenly across both years, with \$500,000 per year dedicated solely to grants. The appropriations bill also allocates an additional \$2 million in federal COVID-19 recovery funds to the Department of Commerce to provide recovery grants to businesses and nonprofits in the arts, heritage and science sectors. Criteria for the grants must be developed in coordination with ArtsWA.

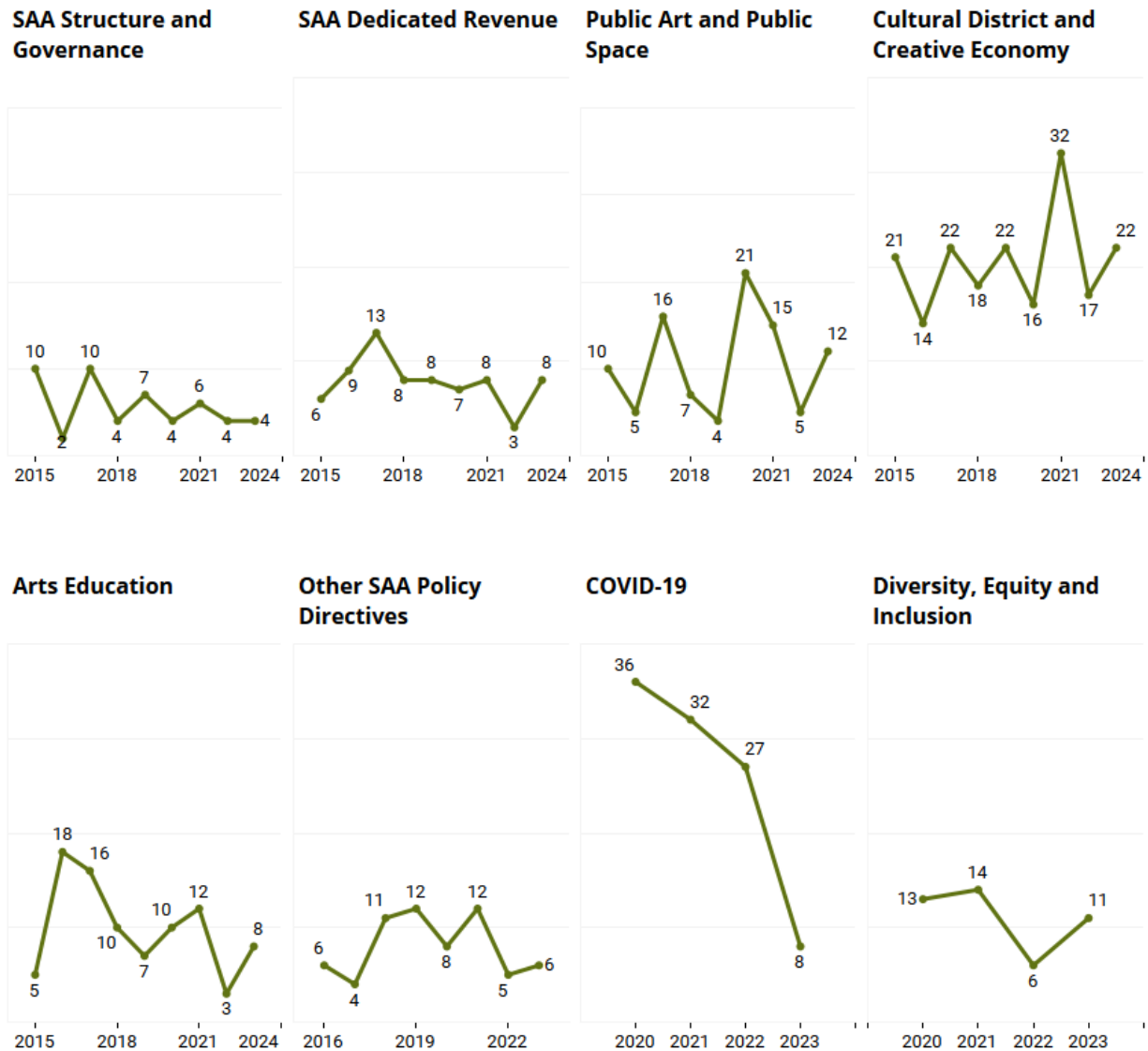
## Recent Trends in State Legislation

To provide a longitudinal analysis of state legislative action relative to the arts, data from the 2023 State Legislative Roundup and the eight previous editions of NASAA's annual summary of state legislation are visualized below. This analysis is a useful tool for recognizing trends and tracking the history of cultural policy throughout the country.

**Number of Bills Featured in the State Legislative Roundup, by Year (2015-2023)**

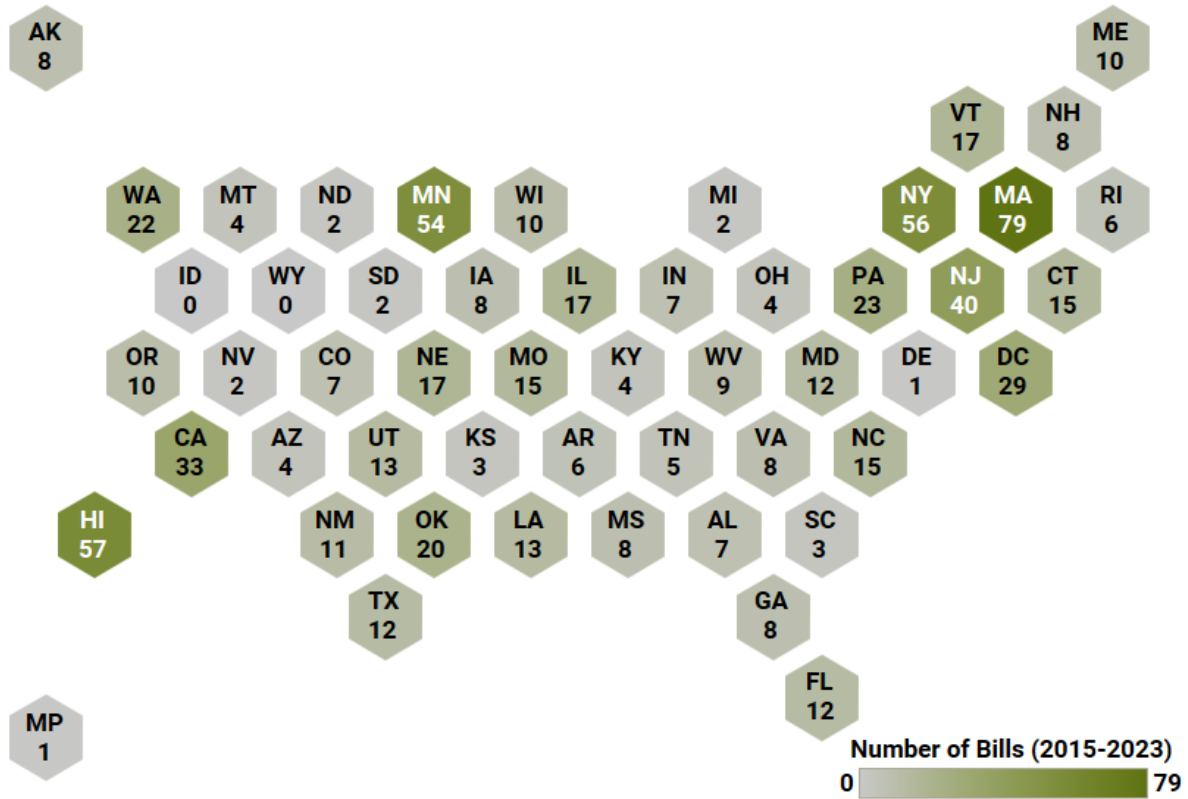


## Number of Bills Summarized in the State Legislative Roundup, by Category (2015-2023)



The chart above reflects the standardized bill categories NASAA has used since 2017 to track legislation. To enable a longitudinal comparison of eight years of state legislative research, NASAA recategorized some bills from the 2016 and 2015 State Legislative Roundup reports, as NASAA has amended some of the categories since it first published the roundup in 2015. Additionally, the Public Art category was updated in 2020 to include imagery and art in public spaces, which explains the large increase in legislation that year. The Other SAA Policy Directives category was added in 2016; the COVID-19 and Diversity, Equity and Inclusion categories were added in 2020.

## Number of Bills Highlighted in the State Legislative Roundup, by State (2015-2023)



## For More Information

For more information, contact NASAA Research Associate [Declan Wicks](#), who authored this roundup in January 2024.

The National Assembly of State Arts Agencies (NASAA) is a not-for-profit, nonpartisan organization. In collaboration with the nation's 56 state and jurisdictional arts councils, we advance the arts as a powerful path to economic prosperity, rural resilience, good health, education success and strong communities in which everyone thrives. NASAA serves as a clearinghouse for data and research about public funding for the arts as well as the policies and programs of state arts agencies. For more information about NASAA and the work of state arts agencies, visit [www.nasaa-arts.org](http://www.nasaa-arts.org).



NASAA's work is supported in part by the National Endowment for the Arts.

© 2024 National Assembly of State Arts Agencies



This work is licensed under a [Creative Commons Attribution-NonCommercial 4.0 International License](#).



[@NASAA.Arts](#)



[@NASAA\\_Arts](#)

[www.nasaa-arts.org](http://www.nasaa-arts.org)