

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 311

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO FUNDING OF PUBLIC ART; AMENDING CHAPTER 13, TITLE 63, IDAHO CODE,
2 BY THE ADDITION OF A NEW SECTION 63-1317, IDAHO CODE, TO ESTABLISH PRO-
3 VISIONS REGARDING THE AUTHORIZATION OF PUBLIC ART FUNDING.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Chapter 13, Title 63, Idaho Code, be, and the same is
7 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
8 ignated as Section 63-1317, Idaho Code, and to read as follows:

9 63-1317. PUBLIC ART FUNDING -- AUTHORIZATION. (1) In order for a tax-
10 ing district to appropriate, budget, or commit any property tax revenues for
11 the design, construction, installation, or purchase of public art, the tax-
12 ing district must approve the expenditure following a public hearing, which
13 may be held in conjunction with the taxing district's budget hearing. Fol-
14 lowing the hearing:

15 (a) If the total cost of the art project is less than twenty-five thou-
16 sand dollars (\$25,000), the governing body of the taxing district may
17 approve the expenditure only by a two-thirds (2/3) majority vote if the
18 governing body is composed of elected officials.

19 (b) If the total cost of the art project is twenty-five thousand dollars
20 (\$25,000) or more, the expenditure must be approved by a sixty percent
21 (60%) majority of the qualified electors of the taxing district voting
22 on the question at an election held for that purpose on a date authorized
23 pursuant to section 34-106(1) (a) or (b), Idaho Code.

24 (2) "Public art" means any work of visual art, including but not limited
25 to a drawing, painting, mural, fresco, sculpture, mosaic, photograph, work
26 of calligraphy, work of graphic art, etching, lithograph, offset print, silk
27 screen, crafts in clay, textile, fiber, wood, metal, plastic, or glass, or
28 mixed media, including a collage, assemblage, or any combination of art me-
29 dia, that is paid for by public tax dollars and is on display for the enjoy-
30 ment of the general public.

31 (3) The provisions of this section do not apply to public art proposals
32 for which funding has been appropriated, budgeted, approved, or otherwise
33 committed prior to July 1, 2021.