LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature First Regular Session - 2021

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 311

BY REVENUE AND TAXATION COMMITTEE

AN ACT

RELATING TO FUNDING OF PUBLIC ART; AMENDING CHAPTER 13, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-1317, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE AUTHORIZATION OF PUBLIC ART FUNDING.

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

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

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

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

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

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

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