

SENATE No. 2332

The Commonwealth of Massachusetts

PRESENTED BY:

Robyn K. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a program for local art and community engagement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Robyn K. Kennedy</i>	<i>First Worcester</i>	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>1/21/2025</i>
<i>Adam Gómez</i>	<i>Hampden</i>	<i>3/21/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>6/12/2025</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>9/12/2025</i>

SENATE No. 2332

By Ms. Kennedy, a petition (accompanied by bill, Senate, No. 2332) of Robyn K. Kennedy and Paul W. Mark for legislation to establish a program for local art and community engagement. Tourism, Arts and Cultural Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2190 OF 2023-2024.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act establishing a program for local art and community engagement.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 7C of the General Laws is hereby amended by adding the following new
2 section:-

3 Section 73. Whereas public buildings and infrastructure are the physical manifestation of
4 the commonwealth’s identity and connection with its citizens, and whereas the commonwealths
5 rich diversity of cultural communities is one of its greatest assets, and whereas a statewide public
6 art program would ensure that our citizenry’s diverse cultural heritage enhances the built
7 environment across the state and result in increased civic participation and economic prosperity
8 through local investment and increased tourism, therefore the commonwealth will enact An Act
9 establishing a program for local art and community engagement

10 There shall be in the executive office of housing and livable communities a commission
11 to be known as the program for local art and community engagement commission (“the PLACE
12 Commission”), which shall consist of 1 member to be appointed by the governor and who shall
13 be an artist or representative from a nonprofit or community organization with experience in
14 and/or commitment to the creation, installation, and/or administration of public art ; 1 member to
15 be appointed by the speaker of the house of representatives and who shall be an artist or
16 representative from a nonprofit or community organization with experience in and/or
17 commitment to the creation, installation, and/or administration of public art; 1 member to be
18 appointed by the senate president and who shall be an artist or representative from a nonprofit or
19 community organization with experience in and/or commitment to the creation, installation,
20 and/or administration of public art; the secretary of housing and livable communities or a
21 designee; the commissioner of capital asset management and maintenance or a designee; the
22 executive director of the Massachusetts cultural council or a designee; 1 member appointed by
23 the president of the Massachusetts College of Art and Design; 1 member appointed by the
24 executive director of the Massachusetts association of community development corporation; and
25 1 member appointed by the executive director of the metropolitan area planning council. Best
26 efforts shall be exercised to ensure that each iteration of the PLACE Commission contains
27 representation from the Commonwealth’s different geographic. The PLACE Commission will be
28 co-chaired by the secretary of housing and livable communities or a designee and the executive
29 director of the Massachusetts cultural council or a designee. The PLACE Commission shall meet
30 once each quarter and otherwise at the discretion of the chairs.

31 Each appointive member shall be appointed for a term of three years, with the members
32 initially appointed serving staggered terms. Persons appointed to fill vacancies shall serve for the

33 unexpired term. Any member shall be eligible for reappointment, except that no appointive
34 member shall serve for more than two consecutive terms. Members shall serve without
35 compensation.

36 (a) There shall be established a fund to be known as the program for local art and
37 community engagement fund ("the PLACE Fund"). The PLACE Fund, in addition to
38 contributions from private sources, shall receive half-of-one-percent of the public funds allocated
39 for the construction or renovation of any building or property owned by the Commonwealth, not
40 to exceed \$300,000 per construction or renovation project. This cap shall be adjusted on July 1st
41 of each year by the growth rate of the inflation index over the preceding 12 months. The
42 executive office of housing and livable communities shall serve as the PLACE Fund's treasurer
43 and custodian.

44 (b) Notwithstanding any general or special law to the contrary, the PLACE Commission
45 shall enter into a contract with the Massachusetts cultural council or another qualified
46 organization for the administrative operation of the PLACE Commission, which includes serving
47 as the secretary during PLACE Commission meetings, and perform such other tasks as
48 determined by the PLACE Commission. The Massachusetts cultural council shall appoint, with
49 the PLACE Commission's approval, such additional employees as may be required in the
50 performance of the PLACE Commission's duties. All salaries of appointed Massachusetts
51 cultural council appointed employees shall be drawn from the PLACE Fund. The PLACE
52 Commission may enter into a contract with another qualified organization to manage some or all
53 of PLACE Commission administration only if the Massachusetts cultural council fails to
54 adequately perform its duties under a duly executed contract, ceases to exist, or for just cause. If
55 the PLACE Commission enters into a contract with another qualified organization, the PLACE

56 Commission shall submit, in writing, the reasons for the termination of its contract with the
57 Massachusetts cultural council to the chairs of the joint committee on economic development
58 and emerging technologies and the chairs of the joint committee on tourism, arts and cultural
59 development. A contract executed pursuant to this section shall address, but shall not be limited
60 to: proposed rules and guidelines for the fund, providing technical assistance to potential
61 applicants, reviewing and evaluating applications and providing findings and recommendations
62 to the PLACE Commission as to which grant applications should be approved and awarded and
63 which should be denied. The PLACE Commission shall establish rules relative to the Fund, with
64 the advice of the committee. Copies of the rules, and any modifications or amendments thereto,
65 shall be delivered to the clerk of the house of representatives, the clerk of the senate, the chairs of
66 the house and senate committees on ways and means, the chairs of the joint committee on
67 economic development and emerging technologies and the chairs of the joint committee on
68 tourism, arts, and cultural development.

69 (c) The PLACE Commission, assisted by Massachusetts cultural council and its
70 designated staff, shall administer the PLACE Fund with the purpose of providing financial
71 support for the selection, design, creation, acquisition, installation, maintenance, conservation,
72 and/or promotion of public art in the Commonwealth. Such administration shall include: (i)
73 establishing and executing processes for the application, approval, acquisition, and installation of
74 public art projects seeking funds; (ii) working with state agencies to assure compliance with this
75 section; (iii) working with public and private stakeholders to identify artists, projects, and
76 installation sites; (iv) ensuring the relevance and acceptance of public art by convening a local
77 advisory group for each new public art project that includes relevant local site users and

78 community stakeholders; (v) developing access to and education of public art; and (vi)
79 cataloguing and maintaining public art.

80 (d) In furtherance of the PLACE Commission's purpose of growing the creative and
81 general economy throughout Massachusetts, (i) all public art acquired using the PLACE Fund
82 shall be owned by the Commonwealth; (ii) best efforts shall be exercised to ensure PLACE
83 Commission projects are distributed across the Commonwealth's different geographic regions;
84 and (iii) best efforts shall be exercised by the PLACE Commission to support artists from
85 Massachusetts.

86 (e) Annually, on September 1 of each year, the PLACE Commission shall provide a
87 report describing the implementation of the PLACE Fund and awarded funds to the secretary of
88 administration and finance, the house committee on ways and means, the senate committee on
89 ways and means, the joint committee on tourism, arts and cultural development, the clerk's office
90 for the house of representatives, and the clerk's office for the senate.

91 (f) The PLACE Commission shall be established no later than December 1, 2026.