

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 27

(Chair, Education, Health, and Environmental Affairs
Committee)(By Request - Departmental - Maryland State
Archives)

Education, Health, and Environmental Affairs

Health and Government Operations

State Archives – Acquisition of Fine Art or Decorative Art – Procurement
Exemption

This departmental bill exempts from State procurement law the Maryland State Archive’s (MSA) *acquisition* of fine or decorative art that is or will be (1) in the custody of the Commission on Artistic Property and (2) owned by or loaned to the State. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None. The bill expands an existing exemption and generally conforms with existing practice.

Local Effect: None.

Small Business Effect: MSA has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: Chapter 111 of 2017 exempted procurements by MSA for the preservation, conservation, proper care, restoration, and transportation of fine or decorative art from State procurement law as long as the relevant art was in the custody of the Commission on Artistic Property and owned by or loaned to the State. This bill adds *acquisition* of art to the existing procurement exemption.

Background: The Commission on Artistic Property designs interpretive exhibits throughout the Annapolis complex, which often involves the acquisition of artwork and custom furnishings and fixtures (including portraiture, statuary, furniture, or cabinetry and textiles). These items are often commissioned from craftspeople with particular expertise in creating art that complements the existing exhibits and/or historic architecture into which they are integrated. MSA advises that State procurement requirements complicate efforts to commission such art from artists who are familiar with the unique requirements of the exhibits.

The State of Maryland has been acquiring art since 1781, when the General Assembly commissioned Charles Willson Peale to paint a full-length portrait of George Washington, which currently hangs in the State House.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of General Services; Maryland State Archives; Department of Legislative Services

Fiscal Note History: First Reader - January 8, 2019
an/ljm Third Reader - January 29, 2019

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: State Archives – Acquisition of Fine Art or Decorative Art - Procurement Exemption

BILL NUMBER: SB 27

PREPARED BY: Elizabeth W. Newell, Legislative Liaison

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

None.

This bill addresses the responsibility of the Maryland State Archives to contract for the acquisition of fine art and decorative art for existing exhibits and/or historic architecture into which they will be integrated. The items will be in the custody of the Commission on Artistic Property.