

CHAPTER 304A
FINE ARTS PROJECTS

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DIVISION I
IOWA STATE ARTS COUNCIL

304A.1 through 304A.7 Repealed by 86 Acts, ch 1245, §1340. See §303.86 et seq.

DIVISION II
FINE ARTS PROJECTS IN STATE BUILDINGS

304A.8 Definitions.

When used in this division:

1. "State building" means any permanent structure, wholly or partially enclosed, which is intended to provide offices, laboratories, workshops, courtrooms, hearing and meeting rooms, storage space and other facilities for carrying on the functions of a state agency, including the board of regents; or auditoriums, meeting rooms, classrooms and other educational facilities; eating or sleeping facilities, medical or dental facilities, libraries and museums which are intended for the use or accommodation of the general public or state employees; together with all grounds and appurtenant structures and facilities; provided, however, it shall not mean maintenance sheds, separate garages, cellhouses or other secure sleeping facilities for prisoners, or buildings used solely as storage or warehouse facilities.

2. "Fine arts" means sculpture, fountains, bas-reliefs, mosaics, frescoes, wall hangings, crafts, photography, pictures or other enhancements to be integrated into the total environment of the building or complex of buildings. "Fine arts" does not include the incidental ornamental detail of functional structural elements, or hardware and other accessories.

3. "Principal user" means the designated person or entity having principal administrative responsibility for the actual utilization of a proposed state building.

[C79, 81, §304A.8]

86 Acts, ch 1245, §1333

304A.9 Consultation.

Whenever a state building is to be constructed, the contracting officer or principal user shall, at the time of engaging or directing an architect to prepare plans and specifications for the building, contact the arts division of the department of cultural affairs, which shall have authority to ensure that the fine arts elements will be integrated within, on, or about the total environment of such construction. Notwithstanding this section and sections 304A.11 and 304A.12, if the state building is under the control of the state board of regents the work on

the fine arts element shall be administered by the state board of regents in consultation with the arts division.

[C79, 81, §304A.9]
86 Acts, ch 1245, §1334

304A.10 Cost of fine arts — percentage.

The total estimated cost of the fine arts elements included in a plan and specifications for a state building or group of state buildings in accordance with the purposes of [this division](#) shall in no case be less than one-half of one percent of the total estimated cost of such building or group of buildings. This percentage allocation shall not be diminished by professional fees. By September 1 annually, the contracting officer or principal user shall submit to the department of cultural affairs the total amount of state financial assistance expended in accordance with [this section](#) during the previous fiscal year. If deemed in the best interests of the citizens, funds allocated for the acquisition of fine arts may be accumulated over more than one appropriation or fiscal period or combined to complete significant projects. By January 1 annually, the department of cultural affairs shall submit a summary of the total amount of state financial assistance expended in accordance with [this section](#) and for which state buildings the assistance was expended.

[C79, 81, §304A.10]
86 Acts, ch 1245, §1335; 98 Acts, ch 1215, §55; 2010 Acts, ch 1041, §1
Referred to in [§304A.11](#), [§304A.12](#)

304A.11 Cooperating parties.

The arts division shall administer, in consultation with the contracting officer, the principal user and the building architect, all matters relating to the selection of the fine arts elements to be included or purchased for a state building as authorized by [section 304A.10](#).

[C79, 81, §304A.11]
86 Acts, ch 1245, §1336
Referred to in [§304A.9](#)

304A.12 Separate contract.

Contracts for the fine arts elements shall be executed within the limits of the actual costs as determined by [section 304A.10](#). Funds shall be transferred to the arts division for administration of the program. All expenses related to the acquisition of the fine arts elements shall be contracted for separately by the contracting agency or principal user with the funds allocated for these purposes.

[C79, 81, §304A.12]
86 Acts, ch 1245, §1337; 2010 Acts, ch 1041, §2
Referred to in [§304A.9](#)

304A.13 Competition of artists.

Selection of fine arts works may be made by public competition of artists. Preference shall be given to the selection of works produced, created or otherwise made by living or deceased Iowa artists. Competitive bidding shall be used where applicable.

[C79, 81, §304A.13]

304A.14 Title in state.

Title to all works of art acquired rests with the principal user or contracting agency in the name of the state. The principal user or contracting agency and the arts division upon agreement may loan works of art between state-owned buildings whenever in their judgment the loan will be to the benefit of the citizens of this state. However, all such works shall be returned to the principal user or the contracting agency at its request.

[C79, 81, §304A.14]
86 Acts, ch 1245, §1338

304A.15 through 304A.20 Reserved.

DIVISION III
INDEMNIFICATION FOR SPECIAL EXHIBIT
ITEMS LOST OR DAMAGED

304A.21 through 304A.30 Repealed by 2008 Acts, ch 1005, §3.