

# NATIONAL CULTURAL DISTRICTS EXCHANGE



## Cultural District Legislation

Many states and local jurisdictions have created legislation for the development of districts, including incentives and enhancements for districts.

### Local Legislation

Most jurisdictions that have cultural districts do not have specific legislation creating them. This is because many cultural districts have developed organically or as part of an existing business improvement districts, or because state requirements trump local requirements.

#### City Council of City of Fredericksburg, Virginia Ordinance No. 10-25 Revised

“Establishing an arts and cultural district of the purpose of increasing awareness and support the arts and culture, and providing incentives for the support and creation of arts and cultural venues in the District, by amending city code chapter 22, “Businesses,” adding a new article VII, “arts and Cultural District”

[http://www.fredericksburgva.com/uploadedFiles/Main\\_City\\_Content/Doing\\_Business/Files/Ordinance\\_10-35.pdf](http://www.fredericksburgva.com/uploadedFiles/Main_City_Content/Doing_Business/Files/Ordinance_10-35.pdf)

#### Creating Montgomery County (Ohio) Regional Arts and Cultural District Resolution No. 90-1049

“Whereas, an urgent need exists for steps within the County of Montgomery, Ohio, for coordinated and concentrated efforts and actions which shall foster and encourage the development and preservation of the Arts or Cultural Heritage, as hereinafter defined, and in furtherance thereof and entity must be created on an area-wide basis without regard to political boundaries which are inappropriate for Arts or Cultural Heritage considerations.”

[http://sites/default/files/pdf/information\\_resources/County%20Resolution%20Creating%20Arts%20District.pdf](http://sites/default/files/pdf/information_resources/County%20Resolution%20Creating%20Arts%20District.pdf)

### State Legislation

*“The composition and character of cultural districts vary tremendously among—and even within—states. The policies often emphasize the arts, but often do so in combination with other cultural domains including heritage, historic preservation, recreation and entertainment. Activities within cultural districts also include a mixture of commercial and nonprofit ventures led by both individuals and institutions.”*

Ryan Stubbs, National Assembly of State Arts Agencies

Fourteen states have enacted statewide cultural/arts and entertainment district legislation:

Arkansas (<http://www.arkansasarts.org>)

Colorado (<http://www.coloradocreativeindustries.org>)

Indiana ([www.in.gov/arts](http://www.in.gov/arts))

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Iowa ([www.iowaartscouncil.org](http://www.iowaartscouncil.org))  
Kentucky ([www.artscouncil.ky.gov](http://www.artscouncil.ky.gov))  
Louisiana ([www.crt.state.la.us/arts/stateartscouncil.aspx](http://www.crt.state.la.us/arts/stateartscouncil.aspx))  
Maryland (<http://www.msac.org>)  
Massachusetts ([www.massculturalcouncil.org](http://www.massculturalcouncil.org))  
New Mexico ([www.nmarts.org/commission.html](http://www.nmarts.org/commission.html))  
Oklahoma ([http://www.arts.ok.gov/Our\\_Programs/Cultural\\_District.html](http://www.arts.ok.gov/Our_Programs/Cultural_District.html))  
Rhode Island ([www.arts.ri.gov](http://www.arts.ri.gov))  
South Carolina (<http://www.southcarolinaarts.com/culturaldistricts>)  
Texas ([www.arts.texas.gov](http://www.arts.texas.gov))  
West Virginia ([www.wvculture.org/arts](http://www.wvculture.org/arts))

Here are more in depth examples of legislation passed for state cultural districts:

**Colorado** state legislature passed HB11-1031 in 2011. It encourages the formation of creative districts in communities, neighborhoods, or contiguous geographic areas. The legislation charges Colorado's Creative Industries agency (CCI) with certifying creative districts. The legislation is unique because it is relevant to places large and small, urban and rural, well-established and new.

[http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont/FD4A0B86F70B2DD48725780800801376?Open&file=1031\\_enr.pdf](http://www.leg.state.co.us/clics/clics2011a/csl.nsf/fsbillcont/FD4A0B86F70B2DD48725780800801376?Open&file=1031_enr.pdf)

**Louisiana** Cultural Districts Program was created by Act 298 of the 2007 Regular Session of the legislature. The law allows a local government to designate a cultural district for the purpose of revitalizing a community by creating a hub of cultural activity by providing:

- Income and corporate franchise tax credits for eligible expenses for rehabilitation of owner-occupied or revenue generating historic structures in a cultural district, and
- Exemption from sales and use taxes for proceeds received from the sale of original, one-of-a-kind works of art from locations established within the Cultural District.

**Maryland** Arts and Entertainment Districts was created by House Bill 1006 (<http://mlis.state.md.us/2005rs/bills/hb/hb1006e.pdf>).

“ENROLLED BILL AN ACT concerning Arts and Entertainment Districts - Tax Credits Benefits for the purpose of altering the definition of qualifying resident artist for the purpose of certain tax benefits available in certain arts and entertainment districts; altering a certain income tax subtraction modification allowed for certain income derived within an arts and entertainment district; expanding the types of buildings in certain arts and entertainment districts for which a

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property tax credit may be granted under certain circumstances; providing for the application of this Act; and generally relating to arts and entertainment districts and tax benefits.”

Rhode Island SECTION 44-18-30.B allows for exemption from sales tax for sales by writers, composers, and artists. The Rhode Island general assembly found that arts and culture are a significant asset for Rhode Island, as they generate revenue through increased tourism and economic activity, so there would be a value in expanding the arts district program statewide. <http://webserver.rilin.state.ri.us/Statutes/TITLE44/44-18/44-18-30.B.HTM>

For more information on state legislation, see the National Assembly of State Arts Agencies' State policy brief on state cultural districts (<http://www.nasaa-arts.org/Research/Key-Topics/Creative-Economic-Development/StateCulturalDistrictsPolicyBrief.pdf>).