

California State History Museum Statutory Authority

Government Code

12174. (a) The Secretary of State shall administer, protect, develop, and interpret the Secretary of State and State Archives Building Complex located in Sacramento in the area bounded by 10th, 11th, O, and P Streets as authorized by Section 12235 for the use, education, and enjoyment of the public.

(b) The Secretary of State may enter into an operating agreement with the Golden State Museum Public Benefit Corporation (GSMPC), formerly known as the California Archives Foundation, an existing California nonprofit public benefit corporation, tax exempt under Section 501(c)(3) of the United States Internal Revenue Code. Under the operating agreement with the Secretary of State (including the State Archives), the GSMPC shall operate the Golden State Museum (the museum), including development, administration, interpretation, and management of the museum and related public services, and acquiring and managing funding for the museum's programs and services. Secondly, the GSMPC may support the programs and operations of the State Archives.

(c) Employees, volunteers, docents, members, or others working with or for the nonprofit tax-exempt organization described in subdivision (b) for purposes consistent with the mission of the organization shall be considered volunteers under Sections 3118 and 3119 of this code and Section 3363.5 of the Labor Code.

(d) The Board of Trustees of the GSMPC shall include the Secretary of State or any Assistant Secretary of State designated by the Secretary of State and the Chairperson of the California Heritage Preservation Commission as ex officio voting members of the board.

The Board of Trustees of the GSMPC shall be the governing authority for operations funded through moneys received by the GSMPC. The Board of Trustees of the GSMPC shall submit an audit report annually to the Secretary of State. The board shall submit copies of annual audit reports to the Director of Finance, the Chair of the Joint Legislative Audit Committee, and the Chair of the Joint Legislative Budget Committee. No funds raised or assets acquired by the GSMPC shall be used for purposes inconsistent with support of the Golden State Museum and the State Archives.

(e) No later than January 10 of each year, the GSMPC shall submit the GSMPC business plan for the following fiscal year to the Director of Finance and the Chair of the Joint Legislative Budget Committee for review and comment. The Executive Director of the GSMPC shall also submit, not less than 30 days prior to adoption by the GSMPC's Board of Trustees, any proposed formal amendments to the GSMPC business plan to the Director of Finance and the Chair of the Joint Legislative Budget Committee for review and comment.

(f) Fees charged to members of the public for copying, reproduction, and other services provided by the State Archives shall be at a level consistent with the costs of providing these services.

The Secretary of State may establish an agreement with the GSMPC to provide these services and collect moneys for providing these services.