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THE SENATE OF MARYLAND ANNAPOLIS, MARYLAND 21401

Testimony SB41: Public Artists

Senate Budget & Taxation Committee
Wednesday, January 21, 2026, 10 AM

The arts uplift and enrich our communities. They reflect our diversity; tell our stories; and communicate our shared values.

Maryland invests in public art, but too often, working artists are forced to give up their rights under the Federal Visual Artists Rights Act (VARA) of 1990 as a condition for winning a commission. VARA defends an artist's integrity, attribution, and intellectual property. Forcing artists to waive these rights in order to receive a contract discourages them from participating in public art. Additionally, theft and [disappearance of public art](#) illustrate a need to safeguard and track these works. As the Senator on the Maryland State Arts Council (MSAC), I have introduced [SB41](#) to strengthen protections for public art.

This bill does two things:

- Ensures that artists cannot be required to waive VARA in order to accept State-funded grants for public art.
- Requires MSAC to track key information about public art in a database using its existing resources.

Minor modifications to the 2026 version include:

- Language stating artists may choose to relinquish VARA;
- Waivers must be voluntary and in writing; and
- Clarification that this bill would apply only prospectively.

[SB41](#) secures Maryland's public art; strengthens the creative economy; and guarantees that our State's investments do not undermine federal policies. Maryland artists, communities, and taxpayers benefit when art is both beautiful and respected.

I urge a favorable report.