

# 2026 In Support of SB-41.pdf

Uploaded by: Nicholas Cohen

Position: FAV

Honorable Members of the Senate Budget and Taxation Committee

TESTIMONY IN SUPPORT OF Artist Right Bill – **SB41**  
Commissioned Public Art - Artist Rights

My name is Linda DePalma. I am an artist living for over 40 years in Bolton Hill 21217 and vote in all elections. Please support **SB41**. I am 100% in favor and support of this bill.

As an artist who has been fortunate enough to receive a number of public art commissions in the regional area, this is a poignant issue for me.

Why is public art important?

Public artworks, commissioned by the State, often involve artists collaborating with local governments, architects and engineers. This is a challenging process, however, due to this collaboration, a sense of place with historical and meaningful implications develops. Artworks are beloved by the communities where they are sited. A public artwork becomes an important identifier, a landmark, for State constituents and their communities. What is the intrinsic value of this artwork? A connection to art can enhance emotional, physical and mental health. Viewing art can trigger those “feel good hormones.” It can actually create joy!

Public art acts as an economic engine, attracting visitors, who in turn patronize other businesses in the region. It creates jobs for fabricators and installers, and provides funds to purchase materials. It acknowledges the importance of promoting art in a community so that the quality of life can be uplifted. Works can become a symbol or a document of the culture. Since public art is free and available to ANYONE, it becomes a catalyst for social interaction. It is accessible to all. People come together and connect to each other. It is a legacy document of the culture and can address social issues sparking conversation.

Waiving rights...

Artists should not be asked to waive their copyright or other protection rights. Since this is not a lucrative calling for most artists, their integrity and intellectual ownership is of utmost importance. Insuring protection of the artist’s original intent or any action to compromise the work is in the best public interests.

I have had a personal experience with this issue. I was a finalist for a federally funded sculptural relief and was asked to waive my Integrity rights. I did not agree to that and although all the comments about the design were all positive, I did not receive the commission.

Personally, I *love* the idea of community being pleasantly surprised when they come upon a sculpture – a sense of embracing both pride and ownership of sculpture in the public realm emerges. The viewer is uplifted and feels like they got a special gift. Among my works is an expansive gate at the Maryland Public Health Laboratory in East Baltimore, an entry gate to the nature-walk at Ladew Topiary Gardens in Monkton, MD and three sculptural works (a gate, canopy and bench) at Brookside Gardens in Wheaton, MD. In addition, I received an Art-in-Transit commission through the Purple Line, Maryland Transit Systems, to be completed in 2025 for the Riggs Road station in Washington DC.

Thank you for your time and consideration of **SB41**.

Linda DePalma, 1623 Bolton Street, Baltimore, MD 21217  
410-456-9808 [depalma21@gmail.com](mailto:depalma21@gmail.com)

**2026\_SB41support\_Letter\_Raehse.pdf**

Uploaded by: Nicholas Cohen

Position: FAV

January 17, 2026

The Honorable Members of the Senate Budget and Taxation Committee  
Maryland General Assembly  
Annapolis, MD

**Support for Senate Bill 41 – Commissioned Public Art: Artist Rights and Registration of Art**

Dear Chair Guzzone, Vice Chair Rosapepe, and Members of the Committee,

As a career arts professional with over 30 years of experience representing, exhibiting, and building scholarship around culturally significant artworks and their makers, I write to express my strong support for Senate Bill 41 (SB 41). This legislation is an essential step in safeguarding the integrity of public art and the rights of the artists who create it.

Public art has the power to shape communities, foster dialogue, and inspire future generations. It enriches the quality of life, supports economic growth, strengthens civic engagement, and reflects the histories and identities of our neighborhoods. When we speak of artists' rights and intellectual property, we sometimes denude the conversation of the deeply personal nature of creation—reducing it to labor rather than the birthing of objects that reflect, share space with, and bear witness to the humanity around them. Public art is a vital record of our cultural and historical moment—linking us across differences and leaving lasting legacies for generations to come.

SB 41 addresses a critical issue: at times, public art in Maryland has been altered without the artist's consent, undermining both their rights and the public's investment in these works. When artists are forced to waive protections or give up copyright under the federal Visual Artists Rights Act (VARA) in state-funded commissions, the integrity of the work—and its cultural and historical significance—is compromised. This legislation ensures that Maryland respects the rights of artists while protecting the public interest, preserving state-supported artworks in their intended form.

Importantly, SB 41 is narrowly tailored: it applies only to contracts with state-funded entities, and allows for review by the Attorney General, with guidance from experts in the field in cases where unforeseen circumstances may arise.

By supporting SB 41, the Senate affirms that Maryland values the contributions of artists, and recognizes their right to safeguard the vision, intent, and integrity of their work. When artists are empowered to protect their creations, they can continue producing meaningful work without fear of alteration or destruction. The public, in turn, experiences art as it was intended—thoughtfully authentic, astutely complete, and justly dignified.

For these reasons, I strongly urge the committee to pass SB 41. This legislation is vital to ensuring that public art continues to flourish in Maryland, while honoring the rights, dignity, and legacy of the artists who bring it into being.

Thank you for your time and consideration.

Sincerely,  
Amy Eva Raehse

Partner & Executive Director at Goya Contemporary & Goya-Girl Press  
Owner of The Artist Legacy Project  
Public Art Commissioner for the City of Baltimore  
Executor of the Joyce J. Scott Art Trust & Archives  
Director of the Elizabeth Talford Scott Art Estate  
Art Dealers Association of America Member and Membership Committee Advisor  
Board of Trustees at International Fine Print Dealers Association (IFPDA)  
Board of Trustees at IFPDA Foundation  
Board of Trustees Emeritus at Creative Alliance of Baltimore  
University of Maryland Global Campus Art Advisory Board  
Maryland Art Place Program Advisory Council  
Independent Curator/ Writer/ Lecturer

**FAV\_MCA\_SB41.pdf**

Uploaded by: Nicholas Cohen

Position: FAV



Chairman Guy Guzzone  
Vice Chairman Jim Rosapepe  
Honorable Member of the Senate Budget and Taxation Committee  
1/21/2026

### TESTIMONY IN SUPPORT OF SB 41

On behalf of Maryland Citizens for the Arts, I urge you to support SB 41, an important measure that upholds the rights of artists and ensures the preservation of public art commissioned by entities receiving state funding.

SB 41 ensures that contracts for State public art may not require artists to waive their copyright protections or rights under the Visual Artist Rights Act (VARA), unless the artist voluntarily chooses to do so in writing. This is a critical safeguard for preserving artistic integrity and protecting the reputation and legacy of artists whose work is publicly funded.

Public art is a lasting investment in Maryland's communities. It enhances the vibrancy of our neighborhoods, contributes to economic growth, and supports the health and well-being of residents. It creates identity, fosters pride, and leaves a cultural legacy for future generations. When public artworks are altered or damaged without the artist's consent, the integrity of that investment is compromised, harming both artists and the public.

SB 41 also establishes a clear and practical system for registering State public art with the Maryland State Arts Council, including basic information such as the artist's name, the location, the type of art, the title, and the date of installation or creation. This ensures accountability, transparency, and long-term stewardship of Maryland's public art assets.

This legislation affirms that Maryland respects artists' rights and recognizes the public's interest in preserving the integrity and legacy of publicly funded art. It is appropriately limited in scope to projects involving State funds, and it balances protection with flexibility by allowing voluntary, written waivers when truly necessary.

I strongly encourage you to vote in favor of this legislation and thank you for your leadership in protecting Maryland's vibrant arts community.

Sincerely,

Nicholas S Cohen,  
Executive Director, MCA

**TRUSTEES**  
April Nyman  
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Marva Jo Camp, Esq.  
Vice Chair  
Suzan Jenkins  
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Albita Rivera  
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Rina Thaler

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Executive Director  
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Tracy Stevens  
Marketing Manager

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Position: FAV



Chairman Guy Guzzone  
Vice Chairman Jim Rosapepe  
Honorable Member of the Senate Budget and Taxation Committee  
1/21/2026

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I strongly encourage you to vote in favor of this legislation and thank you for your leadership in protecting Maryland's vibrant arts community.

Sincerely,

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Executive Director, MCA

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Executive Director  
Amanda Morell  
Deputy Director  
Tracy Stevens  
Marketing Manager

**SB41\_Letter\_and\_Testimony\_JK.pdf**

Uploaded by: Nicholas Cohen

Position: FAV

Judy Kwon  
Chair, Maryland Public Art Commission and Former Public Art Project Manager  
(Austin, Texas)  
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Ridgely, Maryland 21660  
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832.715.5894

19 January 2026

The Honorable Members of the Senate Budget and Taxation Committee  
Maryland General Assembly  
Annapolis, MD

Re: Support for Senate Bill 41 – Commissioned Public Art: Artist Rights and  
Registration of Art

Dear Chair Guzzone, Vice Chair Rosapepe and Members of the Committee,

I am writing in strong support of Senate Bill 41 (SB 41), which protects the rights of artists commissioned for State public art projects and establishes a registration process of the artwork with the Maryland State Arts Council.

SB 41 ensures that contracts for State public art commissions may not require artists to waive their copyright protections or rights under the Visual Artist Rights Act (VARA), unless the artist voluntarily chooses to do so in writing. This is a critical safeguard for preserving artistic integrity and protecting the reputation and legacy of artists whose work is publicly funded.

Public art is a lasting investment in Maryland's communities. It is not decoration or just a physical asset, like a fleet of cars. It enhances the vibrancy of our neighborhoods, contributes greatly to economic growth and development, and supports the health and well-being of residents. It acts as a communal gathering point and wayfinding. It creates identity, fosters pride, and leaves a cultural legacy for future generations. When public artworks are altered or damaged without the artist's consent, the integrity of that investment is compromised, harming both artists and the public.

SB 41 also establishes a clear and practical system for registering State public art with the Maryland State Arts Council, including basic information such as the artist's name, the location, the type of art, the title, and the date of installation or creation. This ensures accountability, transparency, and long-term stewardship of Maryland's public art assets.

This legislation affirms that Maryland respects artists' rights and recognizes the public's interest in preserving the integrity and legacy of publicly funded art. It is appropriately limited in scope to projects involving State funds, and it balances protection with flexibility by allowing voluntary, written waivers when truly necessary.

As a former art maker whose 20 year professional career included acting as museum registrar and public art project manager, and as current Chair of the Maryland Public Art Commission, this bill deeply matters to me. Public art is not only a unique artistic creation, but like all artistic expressions (including artworks found in museums and galleries, dance, poetry, music, film...) it marks a time, a place in society and a point in a town/city/state/world's history. It is a communication between artist, stakeholder and the citizens who view it. It is a driver of economic development. It can become a landmark, a symbol of a place. Perhaps most importantly, it is free and accessible for all people. I have seen firsthand how public art strengthens communities and how vulnerable artworks can become when protections are weakened. SB 41 sends a clear message that Maryland values both artists and the public spaces their work enriches.

For these reasons, I respectfully urge a favorable report on Senate Bill 41.

Sincerely,  
Judy Kwon

# **SB41-Artists Rights-Martha Jackson Jarvis.pdf**

Uploaded by: Nicholas Cohen

Position: FAV

**Martha Jackson Jarvis**

Public Artist

Jackson Jarvis Studio, LLC Jackson Jarvis Studio@gmail.com

January 17, 2026

**Re: Support for SB41 – Artist’s Rights Protection  
Assigned to the Senate Budget and Taxation Committee**

Dear Members of the Senate Budget and Taxation Committee,

I am writing in strong support of **SB41 – Artist’s Rights Protection**, sponsored by Delegate Elizabeth Embry and Senator Cheryl Kagan. As a public artist who has spent decades creating permanent works in civic, institutional, and community spaces across Maryland and beyond, I understand firsthand the importance of protecting artistic integrity and the public’s investment in public art.

Public art is not decorative—it is civic infrastructure. It carries history, identity, and shared values into public space. When artists are required to waive their federal protections under the **Visual Artists Rights Act (VARA)** and copyright law as a condition of commissioning, the long-term integrity of these works is placed at risk. Such waivers leave public art vulnerable to alteration, removal, or destruction without the artist’s consent, compromising both the artist’s reputation and the public trust.

I have witnessed public artworks altered or damaged in ways that fundamentally change their meaning—often without consultation with the artist or regard for the communities the work was created to serve. These actions diminish the cultural, historical, and financial value of public art and undermine the very purpose for which public funds are invested.

SB41 addresses this issue with care and clarity. It affirms that the State of Maryland respects artists’ rights while also safeguarding the public interest in preserving the legacy of publicly funded art. Importantly, the bill is limited in scope, applying only to contracts involving state funds, and it includes a thoughtful review mechanism through the Office of the Attorney General with guidance from the Maryland State Arts Council when unforeseen circumstances arise.

Protecting artists’ rights protects the public. When public art is preserved as intended, it continues to enhance the vibrancy of our cities and neighborhoods, contributes to economic development, supports community well-being, and creates lasting landmarks that define place and memory. Maryland has invested wisely in public art through federal, state, and local programs—SB41 ensures that those investments endures..This legislation matters deeply to me not only as an artist, but as a citizen who believes that public spaces should reflect care, accountability, and respect for cultural labor. I urge the Committee to support SB41 and advance it forward.

Thank you for your consideration, Respectfully, Martha Jackson Jarvis

**Sen. Kagan SB41\_ Public Artists.pdf**

Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN  
Legislative District 17  
Montgomery County

—  
*Vice Chair*  
Education, Energy, and  
the Environment Committee

Joint Audit and Evaluation Committee

Joint Committee on Federal Relations



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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.