

By Senator Garcia

39-1440-02

See HB 1115

1                                   A bill to be entitled  
2           An act relating to public libraries; amending  
3           s. 257.17, F.S.; authorizing municipalities to  
4           receive operating grants; establishing minimum  
5           standards for receipt of funds; removing  
6           minimum population requirement for  
7           municipalities to be eligible to receive funds;  
8           amending s. 257.191, F.S.; revising provisions  
9           relating to construction grants; amending s.  
10          257.22, F.S.; permitting eligible political  
11          subdivisions to receive warrants; amending s.  
12          257.23, F.S.; requiring certification of annual  
13          tax income by a specified date; clarifying  
14          authority with regard to applications for  
15          grants; repealing s. 257.19, F.S., relating to  
16          library construction grants; providing an  
17          effective date.

18  
19           WHEREAS, in enacting revisions to the State Aid to  
20          Libraries program, the Legislature recognizes that the  
21          original intent of aiding and encouraging the establishment of  
22          free library service throughout the state by offering grants  
23          to individual counties is succeeding because all counties in  
24          this state are currently participating in the program, and

25           WHEREAS, the Legislature recognizes that providing  
26          state aid to independent municipal libraries while supporting  
27          political subdivisions that are currently participating in the  
28          State Aid to Libraries program is a valuable contribution to  
29          the extension of the state's public library development plan,  
30          and

31

1           WHEREAS, the Legislature further recognizes the need  
2 for state aid in order to equalize the level of service that  
3 public libraries in various communities throughout the state  
4 are able to provide, to promote free library service that  
5 benefits all residents of the state, and to promote  
6 coordination among public libraries in order to improve the  
7 delivery of library services, NOW, THEREFORE,

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11           Section 1. Section 257.17, Florida Statutes, is  
12 amended to read:

13           257.17 Operating grants.--A political subdivision that  
14 has been designated by a county or municipality as the single  
15 library administrative unit is eligible to receive from the  
16 state an annual operating grant of not more than 25 percent of  
17 all local funds expended by that political subdivision during  
18 the second preceding fiscal year for the operation and  
19 maintenance of a library, under the following conditions:

20           (1) Eligible political subdivisions include:

21           (a) A county that establishes or maintains a library  
22 or that gives or receives free library service by contract  
23 with a municipality or nonprofit library corporation or  
24 association within such county;

25           (b) A county that joins with one or more counties to  
26 establish or maintain a library or contracts with another  
27 county, a special district, a special tax district, or one or  
28 more municipalities in another county to receive free library  
29 service;

30  
31

1 (c) A special district or special tax district that  
2 establishes or maintains a library and provides free library  
3 service; or

4 (d) A municipality ~~with a population of 200,000 or~~  
5 ~~more~~ that establishes or maintains a library or that and gives  
6 or receives free library service by contract with a nonprofit  
7 library corporation or association within the municipality.

8 (2) The library established or maintained by such  
9 political subdivision shall:

10 (a) Be operated under a single administrative head who  
11 has completed a library education program accredited by the  
12 American Library Association. The single administrative head  
13 shall have at least 2 years of full-time paid professional  
14 experience after completing the library education program in a  
15 public library that is open to the public for a minimum of 40  
16 hours per week.~~and~~

17 (b) Expend its funds centrally.~~†~~

18 ~~(b) Have an operating budget of at least \$20,000 per~~  
19 ~~year from local sources; and~~

20 (c) Give the same free library service provided to its  
21 own all residents to residents of all political subdivisions  
22 within the county that receive operating grants from the state  
23 ~~of the county or residents of the special district or special~~  
24 ~~tax district.~~

25 (d) Have at least one library or branch library open  
26 for 40 or more hours per week.

27 (e) Have a long-range plan, an annual plan of service,  
28 and an annual budget.

29 (f) Engage in joint planning for coordination of  
30 library services within the county or counties that receive  
31 operating grants from the state.

1           (3) Any political subdivision establishing public  
2 library service for the first time shall submit a certified  
3 copy of its appropriation for library service, and its  
4 eligibility to receive an operating grant shall be based upon  
5 such appropriation.

6           ~~(4)(a) A municipality with a population of 200,000 or  
7 more that establishes or maintains a library is eligible to  
8 receive from the state an annual operating grant of not more  
9 than 25 percent of all local funds expended by that  
10 municipality during the second preceding fiscal year for the  
11 operation and maintenance of a library, under the following  
12 conditions:~~

13           ~~1. The municipal library is operated under a single  
14 administrative head and expends its funds centrally;~~

15           ~~2. The municipal library has an operating budget of at  
16 least \$20,000 per year from local sources; and~~

17           ~~3. The municipal library provides free library service  
18 to all residents of the municipality.~~

19           ~~(b) This subsection is repealed on July 1, 2002.~~

20           Section 2. Section 257.191, Florida Statutes, is  
21 amended to read:

22           257.191 Construction grants.--The Division of Library  
23 and Information Services may accept and administer library  
24 construction moneys appropriated to it and shall allocate such  
25 appropriation to municipal, county, and regional libraries in  
26 the form of library construction grants on a matching basis.  
27 The local matching portion shall be no less than the grant  
28 amount, on a dollar-for-dollar basis, up to the maximum grant  
29 amount, unless the matching requirement is waived by s.  
30 288.0656 50 percent. The division shall adopt rules for the  
31

1 administration of library construction grants. For the  
2 purposes of this section, s. 257.21 does not apply.

3 Section 3. Section 257.22, Florida Statutes, is  
4 amended to read:

5 257.22 Division of Library and Information Services;  
6 allocation of funds.--Any moneys that may be appropriated for  
7 use by a county, a municipality, a special district, or a  
8 special tax district for the maintenance of a library or  
9 library service shall be administered and allocated by the  
10 Division of Library and Information Services in the manner  
11 prescribed by law. On or before December 1 of each year, the  
12 division shall certify to the Comptroller the amount to be  
13 paid to each county, municipality, special district, or  
14 special tax district, and the Comptroller shall issue warrants  
15 to the eligible political subdivisions ~~respective boards of~~  
16 ~~county commissioners or chief municipal executive authorities~~  
17 ~~for the amount so allocated.~~

18 Section 4. Section 257.23, Florida Statutes, is  
19 amended to read:

20 257.23 Application for grant.--

21 ~~(1)~~ The board of county commissioners of any county,  
22 the chief executive officer of a municipality, or the  
23 governing body of a special district or a special tax district  
24 desiring to receive a grant under the provisions of ss.  
25 257.14-257.25 shall apply therefor to the Division of Library  
26 and Information Services on or before October 1 of each year  
27 on a form to be provided by the division. ~~In~~ The application~~,~~  
28 which shall be signed by the chair of the board of county  
29 commissioners and attested by the clerk of the circuit court  
30 or the appropriate officer in a charter county, by the chief  
31 executive officer of a municipality and attested by the clerk

1 of the municipality, or by the chair of the governing body and  
2 attested by the chief financial officer of a special district  
3 or a special tax district. The county, municipality, special  
4 district, or special tax district ~~the board of county~~  
5 ~~commissioners~~ shall agree to observe the standards established  
6 by the division as authorized in s. 257.15. On or before  
7 December 1 each year, the applicant shall certify the annual  
8 tax income and the rate of tax or the annual appropriation for  
9 the free library or free library service, and shall furnish  
10 such other pertinent information as the division may require.

11 ~~(2) The chief municipal executive authority of any~~  
12 ~~municipality desiring to receive a grant under the provisions~~  
13 ~~of ss. 257.14-257.25 shall apply therefor to the Division of~~  
14 ~~Library and Information Services on or before October 1 of~~  
15 ~~each year on a form to be provided by the division. In the~~  
16 ~~application, which shall be signed by the chief municipal~~  
17 ~~executive officer and attested by the clerk of the circuit~~  
18 ~~court, the chief municipal executive authority shall agree to~~  
19 ~~observe the standards established by the division as~~  
20 ~~authorized in s. 257.15, shall certify the annual tax income~~  
21 ~~and the rate of tax or the annual appropriation for the free~~  
22 ~~library, and shall furnish such other pertinent information as~~  
23 ~~the division may require.~~

24 Section 5. Section 257.19, Florida Statutes, is  
25 repealed.

26 Section 6. This act shall take effect July 1, 2002.  
27  
28  
29  
30  
31

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

\*\*\*\*\*

HOUSE SUMMARY

Authorizes municipalities to receive operating grants for public libraries. Establishes minimum standards for receipt of funds. Removes minimum population requirement for municipalities to be eligible to receive funds. Revises provisions relating to construction grants. Permits eligible political subdivisions to receive warrants. Requires certification of annual tax income by a specified date. Clarifies authority with regard to applications for grants. Repeals s. 257.19, F.S., relating to library construction grants.