

By the Committees on Governmental Oversight and Productivity;
Comprehensive Planning, Local and Military Affairs; and
Senator Garcia

302-2126-02

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.

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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

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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,

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

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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;

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

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

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

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

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

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

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

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

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

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

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

20 ~~3. The municipal library provides free library service~~
21 ~~to all residents of the municipality.~~

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

23 Section 2. Section 257.191, Florida Statutes, is
24 amended to read:

25 257.191 Construction grants.--The Division of Library
26 and Information Services may accept and administer library
27 construction moneys appropriated to it and shall allocate such
28 appropriation to municipal, county, and regional libraries in
29 the form of library construction grants on a matching basis.
30 The local matching portion shall be no less than the grant
31 amount, on a dollar-for-dollar basis, up to the maximum grant

1 amount, unless the matching requirement is waived by s.
2 288.06561 50 percent. The division shall adopt rules for the
3 administration of library construction grants. Initiation of a
4 library construction project 12 months prior to the grant
5 award under this section shall not affect the eligibility of
6 an applicant to receive a library construction grant.For the
7 purposes of this section, s. 257.21 does not apply.

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

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

23 Section 4. Section 257.23, Florida Statutes, is
24 amended to read:

25 257.23 Application for grant.--

26 ~~(1)~~ The board of county commissioners of any county,
27 the chief executive officer of a municipality, or the
28 governing body of a special district or a special tax district
29 desiring to receive a grant under the provisions of ss.
30 257.14-257.25 shall apply therefor to the Division of Library
31 and Information Services on or before October 1 of each year

1 on a form to be provided by the division. ~~In~~ The application~~7~~
2 ~~which~~ shall be signed by the chair of the board of county
3 commissioners and attested by the clerk of the circuit court
4 or the appropriate officer in a charter county, by the chief
5 executive officer of a municipality and attested by the clerk
6 of the municipality, or by the chair of the governing body and
7 attested by the chief financial officer of a special district
8 or a special tax district. The county, municipality, special
9 district, or special tax district ~~the board of county~~
10 ~~commissioners~~ shall agree to observe the standards established
11 by the division as authorized in s. 257.15. On or before
12 December 1 each year, the applicant shall certify the annual
13 tax income and the rate of tax or the annual appropriation for
14 the free library or free library service, and shall furnish
15 such other pertinent information as the division may require.

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

29 Section 5. Section 257.19, Florida Statutes, is
30 repealed.

31 Section 6. This act shall take effect July 1, 2002.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 2114

Provides that initiation of construction on a library 12 months prior to the award of a grant does not affect eligibility to receive a library construction grant under the section.