

By the Committee on Comprehensive Planning; and Senator Wise

316-2374-03

1                                   A bill to be entitled  
2           An act relating to obscenity; requiring public  
3           libraries to install and maintain computer  
4           software or equivalent technology that  
5           prohibits access to obscene materials by  
6           minors; providing that the installation of  
7           software or technology in a library having only  
8           one public-access computer is within the  
9           library's discretion; providing a finding of  
10          important state interest; amending s. 257.17,  
11          F.S.; establishing minimum standards for  
12          receipt of operating grants; providing an  
13          effective date.

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

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17           Section 1. Each county or municipal public library  
18 that makes available for public use computer on-line service,  
19 Internet service, or local bulletin-board service shall  
20 install and maintain computer software or equivalent  
21 technology on any computer that is made available to persons  
22 under 18 years of age which prohibits access to materials that  
23 contain obscene descriptions, photographs, or depictions. If  
24 the library has only one computer available for public use,  
25 the installation of such software or technology shall be  
26 within the discretion of the library.

27           Section 2. In accordance with Section 18, Article VII  
28 of the State Constitution, the Legislature finds that the  
29 installation and maintenance by public libraries of computer  
30 software or equivalent technology that prohibits access by  
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1 persons under 18 years of age to obscene materials fulfills an  
2 important state interest.

3 Section 3. Subsection (2) of section 257.17, Florida  
4 Statutes, is amended to read:

5 257.17 Operating grants.--A political subdivision that  
6 has been designated by a county as the single library  
7 administrative unit is eligible to receive from the state an  
8 annual operating grant of not more than 25 percent of all  
9 local funds expended by that political subdivision during the  
10 second preceding fiscal year for the operation and maintenance  
11 of a library, under the following conditions:

12 (2) The library established or maintained by such  
13 political subdivision shall:

14 (a) Be operated under a single administrative head who  
15 is an employee of, or designated by, the single library  
16 administrative unit and who has completed a library education  
17 program accredited by the American Library Association. The  
18 single administrative head shall have at least 2 years of  
19 full-time paid professional experience, after completing the  
20 library education program, in a public library that is open to  
21 the public for a minimum of 40 hours per week;and

22 (b) Expend its funds centrally; and

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

25 (c) Give free library service to all residents of the  
26 county or residents of the special district or special tax  
27 district.

28 Section 4. This act shall take effect October 1, 2003.  
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 1250

The committee substitute amends s. 257.17(2), F.S., to change the eligibility requirements for a municipality designated as the single library administrative unit to receive an annual operating grant. Under this CS, a library maintained by a municipality receiving such a grant is required be operated under a single administrative head who is employed by, or designated by, the administrative unit and must meet certain professional requirements. This CS eliminates the requirement that a library have an annual operating budget of at least \$20,000 from local sources.