

By Senator Smith

14-1098-03

See HB 325

1                                   A bill to be entitled  
2           An act relating to public libraries; amending  
3           s. 257.191, F.S.; revising provisions relating  
4           to public library construction grants;  
5           providing for waiver of local matching  
6           requirement under certain circumstances;  
7           authorizing the Division of Library and  
8           Information Services to administer certain  
9           funds; providing for eligibility for grant  
10          funding; providing for the adoption of rules;  
11          providing for effect contingent upon certain  
12          appropriations; amending s. 257.261, F.S.;  
13          revising provisions relating to confidentiality  
14          of public library registration and circulation  
15          records to authorize disclosure of information  
16          to the parent or guardian of a library patron  
17          under age 16, for the purpose of collecting  
18          fines or recovering overdue books or other  
19          materials; prohibiting access to library  
20          records by law enforcement personnel who  
21          presently have access; providing for  
22          severability; providing an effective date.

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

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26           Section 1. Section 257.191, Florida Statutes, is  
27 amended to read:  
28           257.191 Public library construction grants.--  
29           (1) The Division of Library and Information Services  
30 may accept and administer library construction moneys  
31 appropriated to it and shall allocate such appropriation to

1 municipal ~~or, county, and regional~~ libraries in the form of  
2 public library construction grants on a matching basis. The  
3 local matching portion shall be no less than the grant amount,  
4 on a dollar-for-dollar basis, up to the maximum grant amount  
5 50 percent. The division shall waive the matching requirement  
6 if a county or municipality requests a waiver of the matching  
7 requirement and has been designated a rural community in  
8 accordance with ss. 288.0656(2)(b) and 288.06561. Initiation  
9 of a library construction project 12 months or less prior to  
10 the grant award under this section shall not affect the  
11 eligibility of an applicant to receive a public library  
12 construction grant.The division shall adopt rules for the  
13 administration of library construction grants. For the  
14 purposes of this section, s. 257.21 does not apply.

15 (2) The Division of Library and Information Services  
16 may accept and administer moneys appropriated to it for small  
17 county public library construction grants. The purpose of the  
18 grants is to assist counties and municipalities that have been  
19 designated rural communities in accordance with ss.  
20 288.0656(2)(b) and 288.06561 to construct, expand, or renovate  
21 public library facilities to meet the requirement of 0.6  
22 square feet per capita of total library floor space.

23 (3) To be eligible to compete for funds under this  
24 section, a county or municipality shall:

25 (a) Comply with the definition of rural community as  
26 provided in s. 288.0656(2)(b).

27 (b) Have less than 0.6 square feet per capita of total  
28 library floor space.

29 (c) Certify that the county or municipality will  
30 appropriate and expend sufficient funds to operate the  
31 completed library facility.

1           (d) Not apply for a grant under the public library  
2 construction grant program provided in this section during the  
3 same fiscal year.

4           (4) The division shall adopt rules for the  
5 administration of small county public library construction  
6 grants. For the purposes of this section, s. 257.21 does not  
7 apply.

8           (5) Except as otherwise provided in this section, this  
9 section shall take effect after the Legislature adopts the  
10 General Appropriations Act specifically appropriating to the  
11 Department of State, for distribution to the counties, such  
12 amounts as it determines and appropriates for the specific  
13 purpose of funding this section.

14           Section 2. Section 257.261, Florida Statutes, is  
15 amended to read:

16           257.261 Library registration and circulation  
17 records.--All registration and circulation records of every  
18 public library, except statistical reports of registration and  
19 circulation, are confidential and exempt from the provisions  
20 of s. 119.07(1) and from s. 24(a) of Art. I of the State  
21 Constitution. Except in accordance with proper judicial order,  
22 a person may not make known in any manner any information  
23 contained in such records, except as provided in this  
24 section. As used in this section, the term "registration  
25 records" includes any information that a library requires a  
26 patron to provide in order to become eligible to borrow books  
27 and other materials, and the term "circulation records"  
28 includes all information that identifies the patrons who  
29 borrow particular books and other materials. This section does  
30 not prohibit any library, or any business operating jointly  
31 with the library, from disclosing information to the parent or

1 guardian of a public library patron under the age of 16, if  
2 the parent or guardian presents a copy of the birth  
3 certificate of the public library patron under the age of 16  
4 ~~municipal or county law enforcement officials, or to judicial~~  
5 ~~officials,~~ for the purpose of collecting fines or recovering  
6 overdue books, documents, films, or other items or materials  
7 owned or otherwise belonging to the library. This section does  
8 not prohibit any library, or any business operating jointly  
9 with the library, from disclosing information to municipal or  
10 county law enforcement officials or to judicial officials or  
11 to any business, for the purpose of collecting fines or  
12 recovering overdue books, documents, films, or other items or  
13 materials owned or otherwise belonging to the library;  
14 provided that, in the case of a public library patron under  
15 the age of 16, the a public library or business entity may  
16 only release confidential information relating to the parent  
17 or guardian of the person under the age of 16. Any person who  
18 violates this section commits ~~is guilty of~~ a misdemeanor of  
19 the second degree, punishable as provided in s. 775.082 or s.  
20 775.083.

21           Section 3. If any provision of this act or its  
22 application to any person or circumstance is held invalid, the  
23 invalidity does not affect other provisions or applications of  
24 the act which can be given effect without the invalid  
25 provision or application, and to this end the provisions of  
26 this act are declared severable.

27           Section 4. This act shall take effect upon becoming a  
28 law.

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