By the Committee on Governmental Oversight and Productivity;
and Senator Lynn

302-1905-03

1	A bill to be entitled
2	An act relating to library records; amending s.
3	257.261, F.S.; revising provisions relating to
4	confidentiality of public library registration
5	and circulation records to authorize disclosure
6	of information to the parent or guardian of a
7	library patron under age 16, for the purpose of
8	collecting fines or recovering overdue books or
9	other materials; providing an effective date.
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11	Be It Enacted by the Legislature of the State of Florida:
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13	Section 1. Section 257.261, Florida Statutes, is
14	amended to read:
15	257.261 Library registration and circulation
16	records.--
17	(1) 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 section.
24	(2) 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.
30	(3)(a) Except in accordance with a proper judicial
31	order, a person may not make known in any manner any

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

1 information contained in records made confidential and exempt

2 by this section, except as otherwise provided in this section.

3   (b) A ~~This section does not prohibit any~~ library, or

4 any business operating jointly with the library may, for the

5 purpose of collecting fines or recovering overdue books,

6 documents, films, or other items or materials owned or

7 otherwise belonging to the library, disclose~~, from disclosing~~

8 information made confidential and exempt by this section to:

9   1. Municipal or county law enforcement officials, or

10 to judicial officials;~~,~~

11   2. The library patron named in the records; or

12   3. In the case of a library patron less than 16 years

13 of age the parent or guardian of that patron named in the

14 records.~~for the purpose of recovering overdue books,~~

15 ~~documents, films, or other items or materials owned or~~

16 ~~otherwise belonging to the library. This section does not~~

17 ~~prohibit any library, or any business operating jointly with~~

18 ~~the library, from disclosing information to municipal or~~

19 ~~county law enforcement officials or to judicial officials or~~

20 ~~to any business for the purpose of collecting fines or overdue~~

21 ~~books, documents, films, or other items or materials. In the~~

22 ~~case of a public library patron under the age of 16, a public~~

23 ~~library may only release confidential information relating to~~

24 ~~the parent or guardian of the person under 16.~~

25   (4) Any person who violates this section commits ~~is~~

26 ~~guilty of~~ a misdemeanor of the second degree, punishable as

27 provided in s. 775.082 or s. 775.083.

28   Section 2. This act shall take effect July 1, 2003.

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1   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
                        COMMITTEE SUBSTITUTE FOR
2   <u>Senate Bill 192</u>

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4   Restructures and reorganizes the section to clarify it.

5   Clarifies that a parent or guardian of a child under the age
    of 16 may be granted access to records of that child for the
6   purpose of recovering overdue books and collecting fines.

7   Authorizes patrons access to their registration and
    circulation records.
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