



HB 0251

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CHAMBER ACTION

The Committee on Commerce recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to library records; amending s. 257.261, F.S.; revising provisions relating to confidentiality of public library registration and circulation records to authorize disclosure of information to the parent or guardian of a library patron under age 16, for the purpose of collecting fines or recovering overdue books or other materials; providing an effective date.

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

Section 1. Section 257.261, Florida Statutes, is amended to read:

257.261 Library registration and circulation records.--

(1) All registration and circulation records of every public library, except statistical reports of registration and circulation, are confidential and exempt from the provisions of s. 119.07(1) and from s. 24(a) of Art. I of the State Constitution. ~~Except in accordance with proper judicial order, a~~



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29 ~~person may not make known in any manner any information~~
30 ~~contained in such records, except as provided in this section.~~

31 (2) As used in this section, the term "registration
32 records" includes any information that a library requires a
33 patron to provide in order to become eligible to borrow books
34 and other materials, and the term "circulation records" includes
35 all information that identifies the patrons who borrow
36 particular books and other materials.

37 (3)(a) Except in accordance with a proper judicial order,
38 a person may not make known in any manner any information
39 contained in records made confidential and exempt by this
40 section, except as otherwise provided in this section.

41 (b) ~~A~~ ~~This section does not prohibit any~~ library, or any
42 business operating jointly with the library may, only from
43 ~~disclosing information to municipal or county law enforcement~~
44 ~~officials, or to judicial officials,~~ for the purpose of
45 collecting fines or recovering overdue books, documents, films,
46 or other items or materials owned or otherwise belonging to the
47 library, disclose information made confidential and exempt by
48 this section to the following:

- 49 1. The library patron named in the records;
- 50 2. In the case of a library patron less than 16 years of
51 age, the parent or guardian of the patron named in the records;
- 52 3. Any entity that collects fines on behalf of a library,
53 unless the library patron is less than 16 years of age, in which
54 case only information identifying the patron's parent or
55 guardian may be released;



56 4. Municipal or county law enforcement officials, unless
 57 the library patron is less than 16 years of age, in which case
 58 only information identifying the patron's parent or guardian may
 59 be released; or

60 5. Judicial officials. ~~This section does not prohibit any~~
 61 ~~library, or any business operating jointly with the library,~~
 62 ~~from disclosing information to municipal or county law~~
 63 ~~enforcement officials or to judicial officials or to any~~
 64 ~~business for the purpose of collecting fines or overdue books,~~
 65 ~~documents, films, or other items or materials. In the case of a~~
 66 ~~public library patron under the age of 16, a public library may~~
 67 ~~only release confidential information relating to the parent or~~
 68 ~~guardian of the person under 16.~~

69 (4) Any person who violates this section commits ~~is guilty~~
 70 ~~of~~ a misdemeanor of the second degree, punishable as provided in
 71 s. 775.082 or s. 775.083.

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