

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Garcia offered the following:

Amendment (with directory and title amendments)

Remove line(s) 29-106, and insert:

Section 1. Section 257.17, Florida Statutes, is amended to read:

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

(1) Eligible political subdivisions include:

(a) A county that establishes or maintains a library or that gives or receives free library service by contract with a

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27 municipality or nonprofit library corporation or association
28 within such county;

29 (b) A county that joins with one or more counties to
30 establish or maintain a library or contracts with another
31 county, a special district, a special tax district, or one or
32 more municipalities in another county to receive free library
33 service;

34 (c) A special district or special tax district that
35 establishes or maintains a library and provides free library
36 service; or

37 (d) A municipality ~~with a population of 200,000 or more~~
38 that establishes or maintains a library or that and gives or
39 receives free library service by contract with a nonprofit
40 library corporation or association within the municipality.

41 (2) The library established or maintained by such
42 political subdivision shall:

43 (a) Be operated under a single administrative head who is
44 an employee of the single library administrative unit and who
45 has completed a library education program accredited by the
46 American Library Association. The single administrative head
47 shall have at least 2 years of full-time paid professional
48 experience, after completing the library education program, in a
49 public library that is open to the public for a minimum of 40
50 hours per week. and

51 (b) Expend its funds centrally.;

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

54 (c) Provide reciprocal borrowing and other library
55 services pursuant to interlocal agreement. Give free library

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56 service to ~~all~~ residents of all political subdivisions within
57 the county that receive operating grants from the state ~~of the~~
58 ~~county or residents of the special district or special tax~~
59 ~~district.~~

60 (d) Have at least one library or branch library open for
61 40 or more hours per week.

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

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

67 (3) Any political subdivision establishing public library
68 service for the first time shall submit a certified copy of its
69 appropriation for library service, and its eligibility to
70 receive an operating grant shall be based upon such
71 appropriation.

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

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

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

82 ~~3. The municipal library provides free library service to~~
83 ~~all residents of the municipality.~~

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

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85 Section 2. Section 257.191, Florida Statutes, is amended
86 to read:

87 257.191 Construction grants.—The Division of Library and
88 Information Services may accept and administer library
89 construction moneys appropriated to it and shall allocate such
90 appropriation to municipal, county, and regional libraries in
91 the form of library construction grants on a matching basis. The
92 local matching portion shall be no less than the grant amount,
93 on a dollar-for-dollar basis, up to the maximum grant amount,
94 unless the matching requirement is waived by s. 288.06561 50
95 percent. Initiation of a library construction project 12 months
96 or less prior to the grant award under this section shall not
97 affect the eligibility of an applicant to receive a library
98 construction grant. The division shall adopt rules for the
99 administration of library construction grants. For the purposes
100 of this section, s. 257.21 does not apply.

101 Section 3. Section 257.22, Florida Statutes, is amended to
102 read:

103 257.22 Division of Library and Information Services;
104 allocation of funds.—Any moneys that may be appropriated for use
105 by a county, a municipality, a special district, or a special
106 tax district for the maintenance of a library or library service
107 shall be administered and allocated by the Division of Library
108 and Information Services in the manner prescribed by law. On or
109 before December 1 of each year, the division shall certify to
110 the Comptroller the amount to be paid to each county,
111 municipality, special district, or special tax district, and the
112 Comptroller shall issue warrants to the eligible political

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113 ~~subdivisions respective boards of county commissioners or chief~~
114 ~~municipal executive authorities for the amount so allocated.~~

115 Section 4. Section 257.23, Florida Statutes, is amended to
116 read:

117 257.23 Application for grant.—

118 ~~(1)~~ The board of county commissioners of any county, the
119 chief executive officer of a municipality, or the governing body
120 of a special district or a special tax district desiring to
121 receive a grant under the provisions of ss. 257.14-257.25 shall
122 apply therefor to the Division of Library and Information
123 Services on or before October 1 of each year on a form to be
124 provided by the division. ~~In~~ The application, ~~which~~ shall be
125 signed by the chair of the board of county commissioners and
126 attested by the clerk of the circuit court or the appropriate
127 officer in a charter county, by the chief executive officer of a
128 municipality and attested by the clerk of the municipality, or
129 by the chair of the governing body and attested by the chief
130 financial officer of a special district or a special tax
131 district. The county, municipality, special district, or special
132 tax district ~~the board of county commissioners~~ shall agree to
133 observe the standards established by the division as authorized
134 in s. 257.15. On or before December 1 each year, the applicant
135 shall certify the annual tax income and the rate of tax or the
136 annual appropriation for the free library or free library
137 service, and shall furnish such other pertinent information as
138 the division may require.

139 ~~(2) The chief municipal executive authority of any~~
140 ~~municipality desiring to receive a grant under the provisions of~~
141 ~~ss. 257.14-257.25 shall apply therefor to the Division of~~

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142 ~~Library and Information Services on or before October 1 of each~~
143 ~~year on a form to be provided by the division. In the~~
144 ~~application, which shall be signed by the chief municipal~~
145 ~~executive officer and attested by the clerk of the circuit~~
146 ~~court, the chief municipal executive authority shall agree to~~
147 ~~observe the standards established by the division as authorized~~
148 ~~in s. 257.15, shall certify the annual tax income and the rate~~
149 ~~of tax or the annual appropriation for the free library, and~~
150 ~~shall furnish such other pertinent information as the division~~
151 ~~may require.~~

152 Section 5. Section 257.19, Florida Statutes, is repealed.

153 Section 6. Section 257.261, Florida Statutes, is amended
154 to read:

155 257.261 Library registration and circulation records.—All
156 registration and circulation records of every public library,
157 except statistical reports of registration and circulation, are
158 confidential and exempt from the provisions of s. 119.07(1) and
159 from s. 24(a) of Art. I of the State Constitution. Except in
160 accordance with proper judicial order, a person may not make
161 known in any manner any information contained in such records,
162 except as provided in this section. As used in this section,
163 the term "registration records" includes any information that a
164 library requires a patron to provide in order to become eligible
165 to borrow books and other materials, and the term "circulation
166 records" includes all information that identifies the patrons
167 who borrow particular books and other materials. This section
168 does not prohibit any library, or any business operating jointly
169 with the library, from disclosing information to the parent or
170 guardian of a public library patron under the age of 16

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171 ~~municipal or county law enforcement officials, or to judicial~~
172 ~~officials,~~ for the purpose of collecting fines or recovering
173 overdue books, documents, films, or other items or materials
174 owned or otherwise belonging to the library. This section does
175 not prohibit any library, or any business operating jointly with
176 the library, from disclosing information to municipal or county
177 law enforcement officials or to judicial officials or to any
178 business, for the purpose of collecting fines or recovering
179 overdue books, documents, films, or other items or materials
180 owned or otherwise belonging to the library; provided that,- in
181 the case of a public library patron under the age of 16, the a
182 public library or business entity may only release confidential
183 information relating to the parent or guardian of the person
184 under the age of 16. Any person who violates this section
185 commits is guilty of a misdemeanor of the second degree,
186 punishable as provided in s. 775.082 or s. 775.083.

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189 ===== T I T L E A M E N D M E N T =====

190 Remove line(s) 11-25, and insert:
191 An act relating to public libraries; amending s. 257.17,
192 F.S.; authorizing municipalities to receive operating
193 grants; establishing minimum standards for receipt of
194 funds; removing minimum population requirement for
195 municipalities to be eligible to receive funds; amending
196 s. 257.191, F.S.; revising provisions relating to
197 construction grants; amending s. 257.22, F.S.; permitting
198 eligible political subdivisions to receive warrants;
199 amending s. 257.23, F.S.; requiring certification of

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200 annual tax income by a specified date; clarifying
201 authority with regard to applications for grants;
202 repealing s. 257.19, F.S., relating to library
203 construction grants; amending s. 257.261, F.S.; revising
204 provisions relating to confidentiality of public library
205 registration and circulation records to authorize
206 disclosure of information to the parent or guardian of a
207 library patron under age 16, for the purpose of collecting
208 fines or recovering overdue books or other materials;
209 providing for severability; providing an effective date.
210

211 WHEREAS, in enacting revisions to the State Aid to
212 Libraries program, the Legislature recognizes that the original
213 intent of aiding and encouraging the establishment of free
214 library service throughout the state by offering grants to
215 individual counties is succeeding because all counties in this
216 state are currently participating in the program, and

217 WHEREAS, the Legislature recognizes that providing state
218 aid to independent municipal libraries while supporting
219 political subdivisions that are currently participating in the
220 State Aid to Libraries program is a valuable contribution to the
221 extension of the state's public library development plan, and

222 WHEREAS, the Legislature further recognizes the need for
223 state aid in order to equalize the level of service that public
224 libraries in various communities throughout the state are able
225 to provide, to promote free library service that benefits all
226 residents of the state, and to promote coordination among public
227 libraries in order to improve the delivery of library services,
228 NOW, THEREFORE,

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