



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

17
 18 Be It Enacted by the Legislature of the State of Florida:

19
 20 Section 1. Section 257.191, Florida Statutes, is amended
 21 to read:

22 257.191 Public library construction grants.--

23 (1) The Division of Library and Information Services may
 24 accept and administer library construction moneys appropriated
 25 to it and shall allocate such appropriation to municipal,
 26 county, and regional libraries in the form of public library
 27 construction grants on a matching basis. The local matching
 28 portion shall be no less than the grant amount, on a dollar-for-



29 dollar basis, up to the maximum grant amount ~~50 percent~~. The
30 division shall waive the matching requirement if a county or
31 municipality requests a waiver of the matching requirement and
32 has been designated a rural community in accordance with ss.
33 288.0656(2)(b) and 288.06561. Initiation of a library
34 construction project 12 months or less prior to the grant award
35 under this section shall not affect the eligibility of an
36 applicant to receive a public library construction grant.

37 (2)(a) The Division of Library and Information Services
38 may accept and administer moneys appropriated to it for small
39 county public library construction grants. The purpose of the
40 grants is to assist counties and municipalities that have been
41 designated rural communities in accordance with ss.
42 288.0656(2)(b) and 288.06561 to construct, expand, or renovate
43 public library facilities to meet the requirement of 0.6 square
44 feet per capita of total library floor space.

45 (b) To be eligible to compete for funds under this
46 section, a county or municipality shall:

47 1. Comply with the definition of rural community as
48 provided in s. 288.0656(2)(b).

49 2. Have less than 0.6 square feet per capita of total
50 library floor space.

51 3. Certify that the county or municipality will
52 appropriate and expend sufficient funds to operate the completed
53 library facility.

54 4. Not apply for a grant under the public library
55 construction grant program provided in subsection (1) during the
56 same fiscal year.



57 (c) The implementation of the provisions of the small
 58 county public library construction grants under this subsection
 59 shall be contingent upon specific appropriations provided to the
 60 Department of State for funding of these grants.

61 (3) The division shall adopt rules for the administration
 62 of library construction grants. For the purposes of this
 63 section, s. 257.21 does not apply.

64 Section 2. Section 257.261, Florida Statutes, is amended
 65 to read:

66 257.261 Library registration and circulation records.--

67 (1) All registration and circulation records of every
 68 public library, except statistical reports of registration and
 69 circulation, are confidential and exempt from the provisions of
 70 s. 119.07(1) and from s. 24(a) of Art. I of the State
 71 Constitution. ~~Except in accordance with proper judicial order, a~~
 72 ~~person may not make known in any manner any information~~
 73 ~~contained in such records, except as provided in this section.~~

74 (2) As used in this section, the term "registration
 75 records" includes any information that a library requires a
 76 patron to provide in order to become eligible to borrow books
 77 and other materials, and the term "circulation records" includes
 78 all information that identifies the patrons who borrow
 79 particular books and other materials.

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



84 **(b) A** ~~This section does not prohibit any library, or any~~
85 ~~business operating jointly with the library~~ may, only for the
86 purpose of collecting fines or recovering overdue books,
87 documents, films, or other items or materials owned or otherwise
88 belonging to the library, disclose, from disclosing information
89 made confidential and exempt by this section to the following:

90 1. The library patron named in the records;

91 2. In the case of a library patron less than 16 years of
92 age, the parent or guardian of that patron named in the records;

93 3. Any entity that collects fines on behalf of a library,
94 unless the patron is less than 16 years of age, in which case
95 only information identifying the patron's parent or guardian may
96 be released;

97 4. Municipal or county law enforcement officials, unless
98 the patron is 16 years of age, in which case only information
99 identifying the patron's parent or guardian may be released; or
100 to

101 5. Judicial officials., for the purpose of recovering
102 overdue books, documents, films, or other items or materials
103 owned or otherwise belonging to the library. This section does
104 not prohibit any library, or any business operating jointly with
105 the library, from disclosing information to municipal or county
106 law enforcement officials or to judicial officials or to any
107 business for the purpose of collecting fines or overdue books,
108 documents, films, or other items or materials. In the case of a
109 public library patron under the age of 16, a public library may
110 only release confidential information relating to the parent or
111 guardian of the person under 16.



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

115 Section 3. If any provision of this act or its application
116 to any person or circumstance is held invalid, the invalidity
117 does not affect other provisions or applications of the act
118 which can be given effect without the invalid provision or
119 application, and to this end the provisions of this act are
120 declared severable.

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