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1 A bill to be entitled

2 An act relating to public libraries; amending s. 257.17,
3 F.S.; authorizing municipalities to receive operating
4 grants; establishing minimum standards for receipt of
5 funds; removing minimum population requirement for
6 municipalities to be eligible to receive funds; amending
7 s. 257.191, F.S.; revising provisions relating to
8 construction grants; amending s. 257.22, F.S.; permitting
9 eligible political subdivisions to receive warrants;
10 amending s. 257.23, F.S.; requiring certification of
11 annual tax income by a specified date; clarifying
12 authority with regard to applications for grants;
13 repealing s. 257.19, F.S., relating to library
14 construction grants; amending s. 257.261, F.S.; revising
15 provisions relating to confidentiality of public library
16 registration and circulation records to authorize
17 disclosure of information to the parent or guardian of a
18 library patron under age 16, for the purpose of collecting
19 fines or recovering overdue books or other materials;
20 providing an effective date.

21
22 WHEREAS, in enacting revisions to the State Aid to
23 Libraries program, the Legislature recognizes that the original
24 intent of aiding and encouraging the establishment of free
25 library service throughout the state by offering grants to
26 individual counties is succeeding because all counties in this
27 state are currently participating in the program, and

28 WHEREAS, the Legislature recognizes that providing state
29 aid to independent municipal libraries while supporting



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30 political subdivisions that are currently participating in the
 31 State Aid to Libraries program is a valuable contribution to the
 32 extension of the state's public library development plan, and

33 WHEREAS, the Legislature further recognizes the need for
 34 state aid in order to equalize the level of service that public
 35 libraries in various communities throughout the state are able
 36 to provide, to promote free library service that benefits all
 37 residents of the state, and to promote coordination among public
 38 libraries in order to improve the delivery of library services,
 39 NOW, THEREFORE,

40

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

42

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

45 257.17 Operating grants.—A political subdivision that has
 46 been designated by a county or municipality as the single
 47 library administrative unit is eligible to receive from the
 48 state an annual operating grant of not more than 25 percent of
 49 all local funds expended by that political subdivision during
 50 the second preceding fiscal year for the operation and
 51 maintenance of a library, under the following conditions:

52 (1) Eligible political subdivisions include:

53 (a) A county that establishes or maintains a library or
 54 that gives or receives free library service by contract with a
 55 municipality or nonprofit library corporation or association
 56 within such county;

57 (b) A county that joins with one or more counties to
 58 establish or maintain a library or contracts with another



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59 county, a special district, a special tax district, or one or
 60 more municipalities in another county to receive free library
 61 service;

62 (c) A special district or special tax district that
 63 establishes or maintains a library and provides free library
 64 service; or

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

69 (2) The library established or maintained by such
 70 political subdivision shall:

71 (a) Be operated under a single administrative head who is
 72 an employee of the single library administrative unit and who
 73 has completed a library education program accredited by the
 74 American Library Association. The single administrative head
 75 shall have at least 2 years of full-time paid professional
 76 experience, after completing the library education program, in a
 77 public library that is open to the public for a minimum of 40
 78 hours per week. and

79 (b) Expend its funds centrally.~~†~~

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

82 (c) Give the same free library service provided to its own
 83 all residents to residents of all political subdivisions within
 84 the county that receive operating grants from the state ~~of the~~
 85 ~~county or residents of the special district or special tax~~
 86 ~~district.~~

87 (d) Have at least one library or branch library open for



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88 40 or more hours per week.

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

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

94 (3) Any political subdivision establishing public library
 95 service for the first time shall submit a certified copy of its
 96 appropriation for library service, and its eligibility to
 97 receive an operating grant shall be based upon such
 98 appropriation.

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

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

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

109 ~~3. The municipal library provides free library service to~~
 110 ~~all residents of the municipality.~~

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

112 Section 2. Section 257.191, Florida Statutes, is amended
 113 to read:

114 257.191 Construction grants.—The Division of Library and
 115 Information Services may accept and administer library
 116 construction moneys appropriated to it and shall allocate such



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117 appropriation to municipal, county, and regional libraries in
 118 the form of library construction grants on a matching basis. The
 119 local matching portion shall be no less than the grant amount,
 120 on a dollar-for-dollar basis, up to the maximum grant amount,
 121 unless the matching requirement is waived by s. 288.06561 50
 122 percent. Initiation of a library construction project 12 months
 123 or less prior to the grant award under this section shall not
 124 affect the eligibility of an applicant to receive a library
 125 construction grant. The division shall adopt rules for the
 126 administration of library construction grants. For the purposes
 127 of this section, s. 257.21 does not apply.

128 Section 3. Section 257.22, Florida Statutes, is amended to
 129 read:

130 257.22 Division of Library and Information Services;
 131 allocation of funds.—Any moneys that may be appropriated for use
 132 by a county, a municipality, a special district, or a special
 133 tax district for the maintenance of a library or library service
 134 shall be administered and allocated by the Division of Library
 135 and Information Services in the manner prescribed by law. On or
 136 before December 1 of each year, the division shall certify to
 137 the Comptroller the amount to be paid to each county,
 138 municipality, special district, or special tax district, and the
 139 Comptroller shall issue warrants to the eligible political
 140 subdivisions ~~respective boards of county commissioners or chief~~
 141 ~~municipal executive authorities for the amount so allocated.~~

142 Section 4. Section 257.23, Florida Statutes, is amended to
 143 read:

144 257.23 Application for grant.—
 145 ~~(1)~~ The board of county commissioners of any county, the



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146 chief executive officer of a municipality, or the governing body
 147 of a special district or a special tax district desiring to
 148 receive a grant under the provisions of ss. 257.14-257.25 shall
 149 apply therefor to the Division of Library and Information
 150 Services on or before October 1 of each year on a form to be
 151 provided by the division. ~~In~~ The application, ~~which~~ shall be
 152 signed by the chair of the board of county commissioners and
 153 attested by the clerk of the circuit court or the appropriate
 154 officer in a charter county, by the chief executive officer of a
 155 municipality and attested by the clerk of the municipality, or
 156 by the chair of the governing body and attested by the chief
 157 financial officer of a special district or a special tax
 158 district. The county, municipality, special district, or special
 159 tax district ~~the board of county commissioners~~ shall agree to
 160 observe the standards established by the division as authorized
 161 in s. 257.15. On or before December 1 each year, the applicant
 162 shall certify the annual tax income and the rate of tax or the
 163 annual appropriation for the free library or free library
 164 service, and shall furnish such other pertinent information as
 165 the division may require.

166 ~~(2) The chief municipal executive authority of any~~
 167 ~~municipality desiring to receive a grant under the provisions of~~
 168 ~~ss. 257.14-257.25 shall apply therefor to the Division of~~
 169 ~~Library and Information Services on or before October 1 of each~~
 170 ~~year on a form to be provided by the division. In the~~
 171 ~~application, which shall be signed by the chief municipal~~
 172 ~~executive officer and attested by the clerk of the circuit~~
 173 ~~court, the chief municipal executive authority shall agree to~~
 174 ~~observe the standards established by the division as authorized~~



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175 ~~in s. 257.15, shall certify the annual tax income and the rate~~
 176 ~~of tax or the annual appropriation for the free library, and~~
 177 ~~shall furnish such other pertinent information as the division~~
 178 ~~may require.~~

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

180 Section 6. Section 257.261, Florida Statutes, is amended
 181 to read:

182 257.261 Library registration and circulation records.—All
 183 registration and circulation records of every public library,
 184 except statistical reports of registration and circulation, are
 185 confidential and exempt from the provisions of s. 119.07(1) and
 186 from s. 24(a) of Art. I of the State Constitution. Except in
 187 accordance with proper judicial order, a person may not make
 188 known in any manner any information contained in such records,
 189 except as provided in this section. As used in this section,
 190 the term "registration records" includes any information that a
 191 library requires a patron to provide in order to become eligible
 192 to borrow books and other materials, and the term "circulation
 193 records" includes all information that identifies the patrons
 194 who borrow particular books and other materials. This section
 195 does not prohibit any library, or any business operating jointly
 196 with the library, from disclosing information to the parent or
 197 guardian of a public library patron under the age of 16
 198 ~~municipal or county law enforcement officials, or to judicial~~
 199 ~~officials,~~ for the purpose of collecting fines or recovering
 200 overdue books, documents, films, or other items or materials
 201 owned or otherwise belonging to the library. This section does
 202 not prohibit any library, or any business operating jointly with
 203 the library, from disclosing information to municipal or county



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204 law enforcement officials or to judicial officials or to any
205 business, for the purpose of collecting fines or recovering
206 overdue books, documents, films, or other items or materials
207 owned or otherwise belonging to the library; provided that, in
208 the case of a public library patron under the age of 16, the a
209 public library or business entity may only release confidential
210 information relating to the parent or guardian of the person
211 under the age of 16. Any person who violates this section
212 commits ~~is guilty of~~ a misdemeanor of the second degree,
213 punishable as provided in s. 775.082 or s. 775.083.

214 Section 7. This act shall take effect July 1, 2003.