



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

A bill to be entitled

An act relating to public libraries; amending s. 257.17, F.S.; authorizing municipalities to receive operating grants; establishing minimum standards for receipt of funds; removing minimum population requirement for municipalities to be eligible to receive funds; amending s. 257.191, F.S.; revising provisions relating to public library construction grants; providing for waiver of local matching requirement under certain circumstances; authorizing the Division of Library and Information Services to administer certain funds; providing for eligibility for grant funding; providing for the adoption of rules; providing for effect contingent upon certain appropriations; amending s. 257.22, F.S.; permitting eligible political subdivisions to receive warrants; amending s. 257.23, F.S.; requiring certification of annual tax income by a specified date; clarifying authority with regard to applications for grants; repealing s. 257.19, F.S., relating to library construction grants; 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.

WHEREAS, in enacting revisions to the State Aid to Libraries program, the Legislature recognizes that the original

CODING: Words ~~stricken~~ are deletions; words underlined are additions.



HB 0049, Engrossed 1

2003

30 intent of aiding and encouraging the establishment of free
 31 library service throughout the state by offering grants to
 32 individual counties is succeeding because all counties in this
 33 state are currently participating in the program, and

34 WHEREAS, the Legislature recognizes that providing state
 35 aid to independent municipal libraries while supporting
 36 political subdivisions that are currently participating in the
 37 State Aid to Libraries program is a valuable contribution to the
 38 extension of the state's public library development plan, and

39 WHEREAS, the Legislature further recognizes the need for
 40 state aid in order to equalize the level of service that public
 41 libraries in various communities throughout the state are able
 42 to provide, to promote free library service that benefits all
 43 residents of the state, and to promote coordination among public
 44 libraries in order to improve the delivery of library services,

45 NOW, THEREFORE,

46
 47 Be It Enacted by the Legislature of the State of Florida:

48
 49 Section 1. Section 257.17, Florida Statutes, is amended to
 50 read:

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

58 (1) Eligible political subdivisions include:



HB 0049, Engrossed 1

2003

59 (a) A county that establishes or maintains a library or
 60 that gives or receives free library service by contract with a
 61 municipality or nonprofit library corporation or association
 62 within such county;

63 (b) A county that joins with one or more counties to
 64 establish or maintain a library or contracts with another
 65 county, a special district, a special tax district, or one or
 66 more municipalities in another county to receive free library
 67 service;

68 (c) A special district or special tax district that
 69 establishes or maintains a library and provides free library
 70 service; or

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

75 (2) The library established or maintained by such
 76 political subdivision shall:

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

85 (b) Expend its funds centrally.÷

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



88 (c) Provide reciprocal borrowing and other library
 89 services pursuant to interlocal agreement. Give free library
 90 service to ~~all~~ residents of all political subdivisions within
 91 the county that receive operating grants from the state ~~of the~~
 92 ~~county or residents of the special district or special tax~~
 93 ~~district.~~

94 (d) Have at least one library or branch library open for
 95 40 or more hours per week.

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

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

101 (3) Any political subdivision establishing public library
 102 service for the first time shall submit a certified copy of its
 103 appropriation for library service, and its eligibility to
 104 receive an operating grant shall be based upon such
 105 appropriation.

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

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

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

116 ~~3. The municipal library provides free library service to~~



117 ~~all residents of the municipality.~~

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

119 Section 2. Section 257.191, Florida Statutes, is amended
120 to read:

121 257.191 Public library construction grants.--

122 (1) The Division of Library and Information Services may
123 accept and administer library construction moneys appropriated
124 to it and shall allocate such appropriation to municipal,
125 county, and regional libraries in the form of public library
126 construction grants on a matching basis. The local matching
127 portion shall be no less than the grant amount, on a dollar-for-
128 dollar basis, up to the maximum grant amount 50 percent. The
129 division shall waive the matching requirement if a county or
130 municipality requests a waiver of the matching requirement and
131 has been designated a rural community in accordance with ss.
132 288.0656(2)(b) and 288.06561. Initiation of a library
133 construction project 12 months or less prior to the grant award
134 under this section shall not affect the eligibility of an
135 applicant to receive a public library construction grant.

136 (2)(a) The Division of Library and Information Services
137 may accept and administer moneys appropriated to it for small
138 county public library construction grants. The purpose of the
139 grants is to assist counties and municipalities that have been
140 designated rural communities in accordance with ss.
141 288.0656(2)(b) and 288.06561 to construct, expand, or renovate
142 public library facilities to meet the requirement of 0.6 square
143 feet per capita of total library floor space.

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



HB 0049, Engrossed 1

2003

- 146 1. Comply with the definition of rural community as
147 provided in s. 288.0656(2)(b).
- 148 2. Have less than 0.6 square feet per capita of total
149 library floor space.
- 150 3. Certify that the county or municipality will
151 appropriate and expend sufficient funds to operate the completed
152 library facility.
- 153 4. Not apply for a grant under the public library
154 construction grant program provided in subsection (1) during the
155 same fiscal year.

156 (c) The implementation of the provisions of the small
157 county public library construction grants under this subsection
158 shall be contingent upon specific appropriations provided to the
159 Department of State for funding of these grants.

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

163 Section 3. Section 257.22, Florida Statutes, is amended to
164 read:

165 257.22 Division of Library and Information Services;
166 allocation of funds.—Any moneys that may be appropriated for use
167 by a county, a municipality, a special district, or a special
168 tax district for the maintenance of a library or library service
169 shall be administered and allocated by the Division of Library
170 and Information Services in the manner prescribed by law. On or
171 before December 1 of each year, the division shall certify to
172 the Comptroller the amount to be paid to each county,
173 municipality, special district, or special tax district, and the
174 Comptroller shall issue warrants to the eligible political



HB 0049, Engrossed 1

2003

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

177 Section 4. Section 257.23, Florida Statutes, is amended to
 178 read:

179 257.23 Application for grant.—

180 ~~(1)~~ The board of county commissioners of any county, the
 181 chief executive officer of a municipality, or the governing body
 182 of a special district or a special tax district desiring to
 183 receive a grant under the provisions of ss. 257.14-257.25 shall
 184 apply therefor to the Division of Library and Information
 185 Services on or before October 1 of each year on a form to be
 186 provided by the division. ~~In~~ The application, ~~which~~ shall be
 187 signed by the chair of the board of county commissioners and
 188 attested by the clerk of the circuit court or the appropriate
 189 officer in a charter county, by the chief executive officer of a
 190 municipality and attested by the clerk of the municipality, or
 191 by the chair of the governing body and attested by the chief
 192 financial officer of a special district or a special tax
 193 district. The county, municipality, special district, or special
 194 tax district ~~the board of county commissioners~~ shall agree to
 195 observe the standards established by the division as authorized
 196 in s. 257.15. On or before December 1 each year, the applicant
 197 shall certify the annual tax income and the rate of tax or the
 198 annual appropriation for the free library or free library
 199 service, and shall furnish such other pertinent information as
 200 the division may require.

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



HB 0049, Engrossed 1

2003

204 ~~Library and Information Services on or before October 1 of each~~
205 ~~year on a form to be provided by the division. In the~~
206 ~~application, which shall be signed by the chief municipal~~
207 ~~executive officer and attested by the clerk of the circuit~~
208 ~~court, the chief municipal executive authority shall agree to~~
209 ~~observe the standards established by the division as authorized~~
210 ~~in s. 257.15, shall certify the annual tax income and the rate~~
211 ~~of tax or the annual appropriation for the free library, and~~
212 ~~shall furnish such other pertinent information as the division~~
213 ~~may require.~~

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

215 Section 6. Section 257.261, Florida Statutes, is amended
216 to read:

217 257.261 Library registration and circulation records.—All
218 registration and circulation records of every public library,
219 except statistical reports of registration and circulation, are
220 confidential and exempt from the provisions of s. 119.07(1) and
221 from s. 24(a) of Art. I of the State Constitution. Except in
222 accordance with proper judicial order, a person may not make
223 known in any manner any information contained in such records,
224 except as provided in this section. As used in this section,
225 the term "registration records" includes any information that a
226 library requires a patron to provide in order to become eligible
227 to borrow books and other materials, and the term "circulation
228 records" includes all information that identifies the patrons
229 who borrow particular books and other materials. This section
230 does not prohibit any library, or any business operating jointly
231 with the library, from disclosing information to the parent or
232 guardian of a public library patron under the age of 16



HB 0049, Engrossed 1

2003

233 ~~municipal or county law enforcement officials, or to judicial~~
 234 ~~officials,~~ for the purpose of collecting fines or recovering
 235 overdue books, documents, films, or other items or materials
 236 owned or otherwise belonging to the library. This section does
 237 not prohibit any library, or any business operating jointly with
 238 the library, from disclosing information to municipal or county
 239 law enforcement officials or to judicial officials or to any
 240 business, for the purpose of collecting fines or recovering
 241 overdue books, documents, films, or other items or materials
 242 owned or otherwise belonging to the library; provided that, - in
 243 the case of a public library patron under the age of 16, the a
 244 public library or business entity may only release confidential
 245 information relating to the parent or guardian of the person
 246 under the age of 16. Any person who violates this section
 247 commits ~~is guilty of~~ a misdemeanor of the second degree,
 248 punishable as provided in s. 775.082 or s. 775.083.

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