

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

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BILL: SB 434

INTRODUCER: Senator Detert

SUBJECT: Public Libraries

DATE: March 4, 2015

REVISED: \_\_\_\_\_

|    | ANALYST        | STAFF DIRECTOR | REFERENCE  | ACTION           |
|----|----------------|----------------|------------|------------------|
| 1. | <u>Peacock</u> | <u>McVaney</u> | <u>GO</u>  | <u>Favorable</u> |
| 2. | <u>Sneed</u>   | <u>Miller</u>  | <u>ATD</u> | <u>Favorable</u> |
| 3. | _____          | _____          | <u>AP</u>  | _____            |

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**I. Summary:**

SB 434 revises the powers and duties of the Department of State’s Division of Library and Information Services (Division). The bill adds definitions of the terms “depository library” and “state publication.” The duties and composition of the State Library Council are revised. Also, the duties of the Division’s State Publications Program are revised. Specified state entities are required to designate a state publications liaison with corresponding responsibilities.

The bill is projected to result in minimal cost savings for the Department of State. The bill will also enable state agencies to reduce their costs to print, copy, and mail public documents to the Division.

The bill provides for an effective date of July 1, 2015.

**II. Present Situation:**

Florida’s State Documents Depository Program was established in 1967. This program was formed to meet the need of researchers and the general public around the state to access information by and about Florida government. By placing state documents in depository libraries throughout Florida, the Program makes state documents from all agencies readily available to Floridians in a cost-effective and timely manner.

The collection of state documents at the State Library is the most comprehensive collection of publications by Florida state agencies, dating from territorial days to the present. The documents published by state agencies and provided to the State Library are listed in the State Library's online catalog, which provides author, title, subject, and keyword access.

The State Library keeps at least two paper copies of these documents for its collections and distributes the others to geographically diverse libraries throughout the state in order to ensure

Florida's citizens free and equal access to state government information. State entities issue about 22.5 percent of the publications as born-digital<sup>1</sup> documents, and the State Library of Florida makes the full text of the born-digital publications available via the online library catalog.

In 1970, the State Library Council (Council) was created. The duties of the Council are to advise and assist the Division on its programs and activities.<sup>2</sup> The Council consists of nine members who are appointed by the Secretary of State for 4-year terms.<sup>3</sup> The composition of the Council includes:<sup>4</sup>

- At least one member who represents a Florida library professional association;
- At least one member who represents a Florida archive professional association;
- At least one member who represents a Florida records management professional association; and
- At least one member who is not, and has never been, employed in a library or in teaching library science courses.

The Division provides library services to blind and physically handicapped persons in Florida.<sup>5</sup>

### III. Effect of Proposed Changes:

**Section 1** amends s. 257.015, F.S., to define the terms “depository library” and “state publication” and reorder the definitions in alphabetical order.

**Section 2** amends s. 257.02, F.S., to revise the duties and composition of the State Library Council. The Council’s duties are revised to specifically include advising and assisting the Division with planning, policy, and priorities related to the development of statewide information services.

The Council’s membership must include:

- Three members who represent Florida public libraries;
- Two members who represent the Florida Academic Library Services Cooperative;
- One member who represents a multi-type library cooperative;
- One member who represents a school library media center; and
- One member who represents the Independent Colleges and Universities of Florida.

**Section 3** amends s. 257.04, F.S., to clarify the powers and duties of the Division. The Division is required to coordinate with the Division of Blind Services of the Department of Education in the provision of library services.

The Division is authorized to issue electronic information. State agencies, other governmental bodies and the depositories themselves are making the transition from print publication to e-

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<sup>1</sup> The term “born-digital” is a new term that refers to materials that originate in a digital format rather than a traditional one. E-books and digital music are examples of media that is considered to be born-digital.

<sup>2</sup> Section 257.02(1), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Section 257.04(5), F.S.

documents. State agencies currently upload full-text publications to the State Library. E-documents allow better access to this information via the Internet.

**Section 4** amends s. 257.05, F.S., to recognize in law the State Publications Program.

Each state official, department, court or agency is required to designate a state publications liaison with contact information. The state publications liaison is required to maintain a list of their respective entity's state publications and to furnish an updated list to the Division by December 31 of each year. This will foster better communication between state agencies and the Division regarding publications.

The definition of the term "public document" is deleted from s. 257.05(1), F.S. State agencies are no longer required to submit 35 copies of each state publication.

As more e-documents are published, there is less need for designating the number of print copies of a publication an entity must send to the State Library. Designating the number of print copies in rule will enable the State Library to change the number when it is needed or eventually eliminate print copies altogether.

Depository libraries are permitted to maintain state publications in a convenient and accessible format for the public.

**Section 5** amends s. 257.36, F.S., to delete the statutory requirement that the Division of Library and Information Services provide a centralized program for microfilming documents.

**Section 6** amends s. 257.105, F.S., to make conforming edits in regards to state publications.

**Section 7** amends s. 283.31, F.S., to make conforming edits in regards to records of executive agency publications.

**Section 8** amends s. 286.001, F.S., to make conforming edits in regards to statutorily required reports.

**Section 9** provides an effective date of July 1, 2015.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The impact of SB 434 is minimal. The Division will save about \$1,000 in postage and staff time for Florida's State Documents Depository Program. State agencies will also see a savings in postage and shipping costs, along with savings in staff time.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 257.015, 257.02, 257.04, 257.05, 257.36, 257.105, 283.31, and 286.001.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.