

SENATE BILL 738

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CF HB 785

By: **Senators King, Beidle, Benson, Brooks, Elfreth, Feldman, Ferguson, Gile, Guzzone, Hettleman, Jackson, Kagan, Kelly, Kramer, Lewis Young, McCray, Waldstreicher, A. Washington, M. Washington, and Zucker**

Introduced and read first time: January 31, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Freedom to Read Act**

3 FOR the purpose of establishing the State standards for libraries for the operation of each
4 library that receives funding from the State; altering the duties of the State Library
5 Board, the State Library Agency, and regional resource centers to incorporate the
6 State standards for libraries; making funding for certain libraries contingent on
7 adoption of a written policy consistent with the State standards for libraries;
8 requiring the State Librarian to authorize the State Comptroller to withhold funding
9 from libraries under certain circumstances; prohibiting county boards of education
10 and the governing bodies of certain libraries from retaliating against employees for
11 acting in a manner consistent with the State standards for libraries under certain
12 circumstances; requiring a certain action involving the property of a library to be
13 committed knowingly in order to be considered a crime; altering the maximum fine
14 for a certain crime involving the property of a library; and generally relating to the
15 establishment of the State standards for libraries.

16 BY adding to
17 Article – Education
18 Section 4–142 and 23–102.1
19 Annotated Code of Maryland
20 (2022 Replacement Volume and 2023 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 23–101, 23–105, 23–106, 23–202, 23–202.1, 23–205, 23–406, 23–408, 23–503,
24 23–506, and 23–507
25 Annotated Code of Maryland
26 (2022 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Education**

4 **4–142.**

5 (A) IN THIS SECTION, “STATE STANDARDS FOR LIBRARIES” HAS THE
6 MEANING STATED IN § 23–101 OF THIS ARTICLE.

7 (B) A LIBRARIAN OR MEDIA SPECIALIST EMPLOYED BY A COUNTY BOARD
8 MAY NOT BE DISMISSED, DEMOTED, SUSPENDED, DISCIPLINED, REASSIGNED,
9 TRANSFERRED, OR OTHERWISE RETALIATED AGAINST FOR ACTING IN A MANNER
10 CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES.

11 23–101.

12 (a) In this title the following words have the meanings indicated.

13 (b) “Print disabled individual” means an individual who cannot effectively read
14 print because of a visual, physical, perceptual, developmental, cognitive, or learning
15 disability.

16 (c) “State Library Agency” means the Maryland State Library Agency.

17 (d) “State Library Board” means the Maryland State Library Board.

18 (E) “STATE STANDARDS FOR LIBRARIES” MEANS THE PHILOSOPHY FOR THE
19 OPERATION OF A LIBRARY THAT ADHERES TO THE STANDARDS ENUMERATED IN §
20 23–102.1(A) OF THIS SUBTITLE.

21 **23–102.1.**

22 (A) IT IS THE GOAL OF THE STATE THAT EACH LIBRARY IS OPERATED IN A
23 MANNER THAT RECOGNIZES THE FOLLOWING STANDARDS:

24 (1) LIBRARY MATERIALS, SERVICES, AND RESOURCES EXIST AND
25 SHOULD BE PROVIDED FOR THE INTEREST, INFORMATION, AND ENLIGHTENMENT
26 OF ALL PERSONS THE LIBRARY SERVES;

27 (2) A LIBRARY SHOULD NOT EXCLUDE MATERIAL FROM ITS
28 CATALOGUE BECAUSE OF THE ORIGIN, BACKGROUND, OR VIEWS OF A PERSON WHO
29 CREATED THE MATERIAL; AND

1 **(3) A LIBRARY SHOULD NOT PROHIBIT OR REMOVE MATERIAL FROM**
2 **ITS CATALOGUE BECAUSE OF PARTISAN OR DOCTRINAL DISAPPROVAL.**

3 **(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT ANY LIBRARY,**
4 **SCHOOL LIBRARY, RESOURCE CENTER, OR OTHER LIBRARY ARRANGEMENT**
5 **DEVELOPED BY THE STATE LIBRARY AGENCY THAT RECEIVES FUNDING FROM THE**
6 **STATE SHALL ADOPT AND FOLLOW A WRITTEN POLICY CONSISTENT WITH THE**
7 **STATE STANDARDS FOR LIBRARIES ENUMERATED IN SUBSECTION (A) OF THIS**
8 **SECTION.**

9 23–105.

10 (a) In addition to the other powers granted and duties imposed by this article, the
11 State Library Board has the powers and duties set forth in this section.

12 (b) The State Library Board shall appoint the State Librarian.

13 (c) The State Library Board shall exercise general direction and control of library
14 development in this State and may:

15 (1) Adopt rules and regulations necessary to administer this title;

16 (2) After considering the recommendations of the State Librarian,
17 establish library policies and procedures for the statewide system of libraries;

18 (3) Consider the library needs of this State and recommend to the Governor
19 and the General Assembly desirable legislation; and

20 (4) With the approval of the Governor, accept, administer, and spend any
21 appropriation, gift, or grant for library purposes from the federal government or from any
22 other person.

23 (d) In accordance with the bylaws, rules, and regulations of the State Board of
24 Education, the State Superintendent shall certificate professional library personnel.

25 (e) (1) Each year the State Library Board shall report to the Governor and the
26 people of this State on the support, condition, progress, and needs of libraries.

27 (2) The report required under paragraph (1) of this subsection shall include
28 any findings of the State Library Agency related to its duties under § 23–106(b)(4) of this
29 subtitle.

30 (f) The State Library Board shall approve county public library capital projects
31 for State funding in accordance with § 23–509 of this title.

1 **(G) THE STATE LIBRARY BOARD SHALL DEVELOP POLICIES FOR THE**
2 **OPERATION OF LIBRARIES THAT ALIGN WITH THE STATE STANDARDS FOR**
3 **LIBRARIES.**

4 23–106.

5 (a) In addition to any other powers granted and duties imposed by this title, and
6 subject to the authority of the State Library Board, the State Library Agency has the
7 powers and duties set forth in this section.

8 (b) The State Library Agency shall:

9 (1) Provide leadership and guidance for the planning and coordinated
10 development of library and information service in this State;

11 (2) Develop statewide public and school library services and networks,
12 resource centers, and other arrangements to meet the library and information needs of this
13 State;

14 (3) Provide professional and technical advice on improving library services
15 in this State to:

16 (i) Public and school library officials;

17 (ii) Higher education and special library officials;

18 (iii) State government agencies; and

19 (iv) Any other person;

20 (4) (i) Collect library statistics and other data;

21 (ii) Identify library needs and provide for needed research and
22 studies of them; and

23 (iii) Coordinate library services with other information and education
24 services and agencies;

25 (5) Administer federal and State funds appropriated to it by the State for
26 library purposes;

27 (6) (i) Develop and recommend professional standards and policies for
28 libraries; and

29 (ii) Establish requirements and procedures for the certification of
30 librarians and library personnel;

1 (7) Provide:

2 (i) Specialized library service to the blind and other print disabled
3 individuals in this State; and

4 (ii) Other desirable specialized library services;

5 (8) Encourage, advise, and assist in establishing, operating, and
6 coordinating libraries at State institutions and agencies and administer the operation of
7 library and information services for the State Library Board;

8 (9) Administer the State grant program for county public library capital
9 projects, in accordance with § 23–509 of this title;

10 (10) Adopt guidelines for the administration of public libraries and
11 recommend to the State Library Board rules and regulations to implement this title;

12 (11) Cooperate with national library agencies and those of any other state;

13 (12) Develop a Deaf Culture Digital Library in accordance with § 23–109 of
14 this subtitle; [and]

15 (13) **ENSURE THAT EACH LIBRARY THAT RECEIVES STATE FUNDS IS**
16 **OPERATED IN A MANNER CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES;**
17 **AND**

18 (14) Perform any other duty necessary for its proper operation.

19 23–202.

20 (a) The boards of library trustees of at least three public library systems outside
21 the standard metropolitan statistical areas defined by the United States Bureau of the
22 Census may request the State Library Board to establish and maintain a regional resource
23 center.

24 (b) Each regional resource center shall provide, through mutual cooperation and
25 coordination, books, information, and other material and service resources that an
26 individual library cannot provide adequately by itself.

27 (c) (1) A region to be served by a regional resource center shall have a
28 population of at least 100,000.

29 (2) Subject to approval by the State Library Board, the boards of library
30 trustees of the participating library systems shall designate the library to serve as the
31 resource center.

1 (d) (1) There is a board of advisors for each regional resource center that shall
2 act as the Regional Advisory Council.

3 (2) The Council consists of:

4 (i) The director of the regional resource center; and

5 (ii) The director of each member library system.

6 (3) The Council for each regional resource center shall:

7 (i) Gather information on the resource needs of its region; and

8 (ii) Promote the use of the regional resource center.

9 (e) (1) The director of the regional resource center is the executive officer of
10 the regional resource center.

11 (2) The director:

12 (i) Is appointed by the governing board established in accordance
13 with § 23–202.1 of this subtitle; and

14 (ii) Shall serve at the pleasure of the governing board.

15 (3) The director shall:

16 (i) Be eligible for certification as a professional library director by
17 the State Superintendent of Schools as set forth in COMAR 14.38.01.01;

18 (ii) Have the powers and duties set forth in this title; and

19 (iii) Appoint, promote, fix salaries, assign duties, and terminate
20 personnel of the regional resource center.

21 (f) (1) The director shall operate the regional resource center in accordance
22 with:

23 (i) The standards adopted by the State Library Board; and

24 (ii) The policies adopted by the governing board.

25 (2) The director shall:

26 (i) Prepare and submit for the approval of the governing board the
27 annual budget of the regional resource center;

1 (ii) Adopt and submit for the approval of the governing board
2 reasonable rules and bylaws to carry out this section; and

3 (iii) Recommend to the governing board the purchase, condemnation,
4 rental, use, sale, or conveyance of property for any valid purpose under this section.

5 (g) (1) The policies and procedures of the regional resource center shall be:

6 [(1)] (I) Recommended by the board of trustees of the library designated
7 as the regional resource center; and

8 [(2)] (II) Approved by the Council.

9 (2) **THE POLICIES AND PROCEDURES OF THE REGIONAL RESOURCE**
10 **CENTER SHALL BE CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES.**

11 (h) Each regional resource center shall:

12 (1) Make interlibrary loans of books and materials;

13 (2) Supply collections and exhibits of specialized materials;

14 (3) Provide consultant services;

15 (4) Organize in-service training for library staffs; and

16 (5) Develop and operate cooperative services among libraries.

17 23-202.1.

18 (a) There is a governing board for each regional resource center.

19 (b) (1) Except as provided in paragraph (2) of this subsection, a governing
20 board consists of the following members:

21 (i) A library trustee from each participating library system; and

22 (ii) Up to one member of the public from each area served by the
23 participating library systems.

24 (2) (i) The board of trustees of the Washington County Free Library
25 shall act as the governing board for the Western Maryland Regional Resource Center.

26 (ii) The bylaws adopted by the board of trustees of the Washington
27 County Free Library shall govern the composition, appointment, qualifications, terms, and
28 structure of the governing board.

- 1 (c) A member appointed to a governing board must:
- 2 (1) Be of good character;
- 3 (2) Have demonstrated ability and interest in library matters; and
- 4 (3) Be a resident of one of the counties participating in and being served by
5 the regional resource center.
- 6 (d) (1) Subject to paragraph (2) of this subsection, the members of the
7 governing board shall be appointed by the governing board.
- 8 (2) The initial members of a governing board shall be appointed by the
9 Regional Advisory Council of the regional resource center.
- 10 (e) A member of a governing board:
- 11 (1) May not receive compensation as a member of the governing board; but
- 12 (2) Is entitled to reimbursement for expenses in accordance with the rules,
13 policies, and bylaws of the regional resource center.
- 14 (f) (1) Each member serves for a term of 5 years beginning July 1 immediately
15 following the member's appointment and until a successor is appointed and qualifies.
- 16 (2) A member may not serve for more than two consecutive terms.
- 17 (3) (i) The governing board shall appoint a qualified individual to fill
18 any vacancy in the member's position for the remainder of that term until a successor is
19 appointed and qualifies.
- 20 (ii) A member appointed to fill a vacancy under subparagraph (i) of
21 this paragraph may serve for two additional terms.
- 22 (g) (1) A governing board shall elect a chair from among its members each
23 year.
- 24 (2) A governing board may elect any other officers determined necessary
25 by the board.
- 26 (3) If a governing board elects a treasurer, the treasurer shall be
27 appropriately bonded.
- 28 (h) (1) A governing board:
- 29 (i) Shall determine the time and place of its meetings; and

1 (ii) May adopt rules for the conduct of its meetings.

2 (2) A governing board shall meet at least once every 3 months.

3 (3) A governing board is subject to the Open Meetings Act.

4 (4) A majority of the appointed members of the governing board is a
5 quorum.

6 (i) (1) A member of a governing board who fails to attend at least 50% of the
7 scheduled meetings of the board during any consecutive 12-month period shall be
8 considered to have resigned.

9 (2) If the member has been unable to attend meetings for reasons
10 satisfactory to the governing board, the governing board may waive the resignation.

11 (3) The chair of a governing board shall report the member's name and
12 nonattendance to the State Library Board within 45 days after the end of the 12-month
13 period.

14 (4) The governing board shall fill any vacancy in accordance with
15 subsection (f) of this section.

16 (j) (1) In addition to the other powers expressly granted and duties imposed
17 by this subtitle, a governing board has the powers and duties set forth in this subsection.

18 (2) A governing board shall:

19 (i) Select and appoint, with the advice of the State Librarian, a
20 professional librarian to serve as director of the regional resource center;

21 (ii) Determine the policies of the regional resource center;

22 (iii) Adopt reasonable rules and bylaws for the use of the regional
23 resource center and the conduct of its business;

24 (iv) Approve the regional resource center budget;

25 (v) In accordance with the regulations and laws of the State, receive,
26 account for, control, and supervise the spending of all public funds received by the regional
27 resource center;

28 **(VI) ADOPT A WRITTEN POLICY THAT IS CONSISTENT WITH THE**
29 **STATE STANDARDS FOR LIBRARIES AND CONDUCT THE OPERATION OF THE**
30 **REGIONAL RESOURCE CENTER IN A MANNER CONSISTENT WITH THE WRITTEN**
31 **POLICY;**

1 [(vi)] (VII) Publish the results of the audit conducted under
2 paragraph (4)(ii) of this subsection; and

3 [(vii)] (VIII) Submit a report to the State Librarian on or before
4 November 1 each year that includes:

5 1. The amount of money received from the library fund and
6 other sources;

7 2. Itemized expenses;

8 3. The number of books and periodicals in the possession of
9 and owned by the regional resource center;

10 4. The results of the annual audit; and

11 5. Any other information required by the State Library
12 Board.

13 (3) A governing board may:

14 (i) Apply, accept, and expend any gift, appropriation, or grant from
15 the State, county, or federal government or any other person on behalf of the regional
16 resource center;

17 (ii) Recommend the purchase, condemnation, rental, acquisition,
18 use, or conveyance of property for any valid purpose under this section;

19 (iii) Recommend plans for the regional resource centers, including
20 the use of facilities of participating libraries, additions to the facilities of participating
21 libraries, or new facilities separate from the existing facilities of participating libraries;

22 (iv) Select the location of and approve plans for the erection of
23 regional resource center buildings, subject to the approval of the State Library Board and
24 the Governor;

25 (v) Make agreements with any person for any library service; and

26 (vi) Perform any other actions necessary for the proper control and
27 development of the regional resource center.

28 (4) In addition to other reports that may be required by the State Library
29 Board, the Board shall:

30 (i) Keep records that are consistent with sound business practices
31 and accounting records that use generally accepted accounting principles;

1 (ii) Cause an audit by an independent certified public accountant
2 approved by the State Librarian to be made of the accounts and transactions of the regional
3 resource center at the conclusion of each fiscal year; and

4 (iii) For any State money, be subject to an audit by the Office of
5 Legislative Audits, in accordance with §§ 2–1220 through 2–1227 of the State Government
6 Article.

7 **(K) THE GOVERNING BOARD MAY NOT DISMISS, SUSPEND, DISCIPLINE,**
8 **DEMOTE, REASSIGN, TRANSFER, OR OTHERWISE RETALIATE AGAINST AN EMPLOYEE**
9 **FOR ACTING IN A MANNER CONSISTENT WITH THE REGIONAL RESOURCE CENTER’S**
10 **WRITTEN POLICY IMPLEMENTING THE STATE STANDARDS FOR LIBRARIES.**

11 23–205.

12 (a) **[Each] SUBJECT TO SUBSECTION (G) OF THIS SECTION, EACH** year, the
13 State Library Board may include in its budget operating funds for:

14 (1) The State Library Resource Center;

15 (2) Each regional resource center;

16 (3) The Maryland Library for the Blind and Print Disabled;

17 (4) The Deaf Culture Digital Library; and

18 (5) Each metropolitan cooperative service program.

19 (b) (1) **[The] SUBJECT TO SUBSECTION (G) OF THIS SECTION, THE** State
20 shall pay all capital expenses for:

21 (i) The State Library Resource Center; and

22 (ii) Each regional resource center.

23 (2) Before any money is spent under this subsection, the appropriate board
24 of library trustees shall:

25 (i) Have the project approved by the State Library Board;

26 (ii) Through the State Library Board, submit the request to the
27 Department of Budget and Management for consideration under Title 3, Subtitle 6 of the
28 State Finance and Procurement Article; and

1 (iii) Agree to reimburse the State Library Board an amount the State
2 Library Board determines if the facility ceases to be used for a resource center or
3 cooperative service program.

4 (c) (1) [Each] **SUBJECT TO SUBSECTION (G) OF THIS SECTION, EACH** year
5 each participating regional resource center shall receive a minimum amount of funding for
6 each resident of the area served, to be used for operating and capital expenses.

7 (2) The allocation shall be calculated as follows:

8 (i) For each of fiscal years 2011 through 2015..... \$6.75 per each
9 resident of the area served;

10 (ii) For fiscal year 2016..... \$6.95 per each
11 resident of the area served;

12 (iii) For fiscal year 2017..... \$7.15 per each
13 resident of the area served;

14 (iv) For fiscal year 2018..... \$7.55 per each
15 resident of the area served;

16 (v) For fiscal year 2019..... \$7.95 per each
17 resident of the area served;

18 (vi) For fiscal year 2020..... \$8.35 per each
19 resident of the area served;

20 (vii) For fiscal year 2021..... \$8.55 per each
21 resident of the area served;

22 (viii) For fiscal year 2022..... \$8.75 per each
23 resident of the area served;

24 (ix) For fiscal year 2023..... \$9.19 per each
25 resident of the area served;

26 (x) For fiscal year 2024..... \$9.39 per each
27 resident of the area served;

28 (xi) For fiscal year 2025..... \$9.59 per each
29 resident of the area served;

30 (xii) For fiscal year 2026..... \$9.79 per each
31 resident of the area served; and

1 (xiii) For fiscal year 2027 and each fiscal year
2 thereafter..... \$9.99 per each
3 resident of the area served.

4 (d) (1) [Each] **SUBJECT TO SUBSECTION (G) OF THIS SECTION, EACH** year
5 the State Library Resource Center shall receive a minimum amount of funding for each
6 State resident in the previous fiscal year, to be used for operating and capital expenses.

7 (2) The allocation shall be calculated as follows:

8 (i) For each of fiscal years 2010 through 2016..... \$1.67 per State
9 resident;

10 (ii) For fiscal year 2017..... \$1.69 per State
11 resident;

12 (iii) For fiscal year 2018..... \$1.73 per State
13 resident;

14 (iv) For fiscal year 2019..... \$1.77 per State
15 resident;

16 (v) For fiscal year 2020..... \$1.81 per State
17 resident;

18 (vi) For fiscal year 2021..... \$1.85 per State
19 resident;

20 (vii) For fiscal year 2022..... \$1.89 per State
21 resident;

22 (viii) For fiscal year 2023..... \$1.93 per State
23 resident; and

24 (ix) For fiscal year 2024 and each fiscal year
25 thereafter..... \$1.97 per State
26 resident.

27 (e) [Beginning] **SUBJECT TO SUBSECTION (G) OF THIS SECTION, BEGINNING**
28 in fiscal year 2016 and in each fiscal year thereafter, the Maryland Library for the Blind
29 and Print Disabled shall receive an amount equivalent to at least 25% of the amount
30 received by the State Library Resource Center for the same fiscal year under subsection (d)
31 of this section.

32 (f) (1) The State Library Board shall:

1 (i) Disburse funds to the State and regional resource centers, the
2 Maryland Library for the Blind and Print Disabled, and metropolitan cooperative service
3 programs; and

4 (ii) Require that these funds be used subject to any conditions
5 specified by the appropriating agency or imposed under this subtitle.

6 (2) The State Library Board may authorize the State Comptroller to
7 withhold funds from any regional resource center or metropolitan cooperative service
8 program that fails to meet the standards adopted by the State Library Board.

9 **(G) (1) RECEIPT OF FUNDING UNDER THIS SECTION IS CONTINGENT ON A**
10 **LIBRARY, RESOURCE CENTER, OR COOPERATIVE SERVICE PROGRAM ADOPTING A**
11 **WRITTEN POLICY THAT IS CONSISTENT WITH THE STATE STANDARDS FOR**
12 **LIBRARIES.**

13 **(2) THE STATE LIBRARIAN SHALL AUTHORIZE THE STATE**
14 **COMPTROLLER TO WITHHOLD STATE FUNDS FROM A LIBRARY, RESOURCE CENTER,**
15 **OR COOPERATIVE SERVICE PROGRAM THAT DOES NOT ADOPT A WRITTEN POLICY**
16 **THAT IS CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES.**

17 23-406.

18 (a) Each board of library trustees:

19 (1) Shall select and appoint a professional librarian eligible for certification
20 as director of the library to serve at the pleasure of the board; and

21 (2) May delegate to the director its authority to appoint any other
22 necessary employees.

23 (b) Each board of library trustees shall establish policies for:

24 (1) Staff classification;

25 (2) Salaries;

26 (3) Work conditions;

27 (4) Suspension with pay;

28 (5) Grievance procedures;

29 (6) Benefits, including vacation and sick leave;

30 (7) Hours of work; and

1 (8) Any other personnel procedures and practices necessary for the efficient
2 operation of the library.

3 (c) Each professional public librarian appointee to the professional library staff:

4 (1) Shall hold a certificate of library qualifications issued by the State
5 Superintendent; or

6 (2) (i) Shall be eligible for State certification as a professional public
7 librarian; and

8 (ii) Shall apply for certification within 6 months of starting
9 employment.

10 (d) (1) The director or the director's designee may suspend a library employee
11 without pay for a specified period up to 10 working days, for the following reasons:

12 (i) Misconduct in office;

13 (ii) Insubordination;

14 (iii) Incompetency; or

15 (iv) Willful neglect of duty.

16 (2) (i) The director or the director's designee shall give the suspended
17 employee a written statement that specifies the reasons for the suspension.

18 (ii) The director or the director's designee shall place a copy of the
19 written statement that specifies the reasons for the suspension in the employee's official
20 personnel file.

21 (3) (i) The employee shall have the opportunity to reply in writing to
22 the director within 10 working days after the employee receives notice of the suspension.

23 (ii) The employee may request a hearing before the board of trustees
24 within 10 working days after receiving notice of the suspension.

25 (iii) If the employee requests a hearing within the 10-day period, the
26 board shall promptly hold a hearing, but a hearing may not be set within 10 working days
27 after the board sends the employee a notice of the hearing.

28 (4) If an employee is suspended without pay and found not guilty of the
29 reasons for the suspension, the board shall refund all pay benefits lost by reason of the
30 suspension to the employee.

1 (5) Suspension of an employee with pay shall be as provided by the library's
2 personnel policy.

3 (e) (1) On written recommendation of the library director, each board of
4 library trustees may dismiss any library employee under its jurisdiction for any of the
5 following reasons:

6 (i) Misconduct in office;

7 (ii) Insubordination;

8 (iii) Incompetency; or

9 (iv) Willful neglect of duty.

10 (2) (i) Before removing an employee, the director shall send the
11 employee a written copy of the charges against the employee and give the employee an
12 opportunity to request a hearing before the board within 10 working days.

13 (ii) If the employee requests a hearing within the 10-day period the
14 board promptly shall hold a hearing, but a hearing may not be set within 10 working days
15 after the board sends the employee a notice of the hearing.

16 (iii) The employee shall have an opportunity to be heard publicly
17 before the board in his own defense, in person or by counsel and to bring witnesses to the
18 hearing.

19 (3) If the board votes to remove the employee and:

20 (i) The decision is unanimous, the decision of the board is final; or

21 (ii) The decision is not unanimous, the employee may appeal to the
22 State Library Board through the State Librarian.

23 **(F) IF THE BOARD OF LIBRARY TRUSTEES ADOPTS A WRITTEN POLICY**
24 **CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES, AN EMPLOYEE MAY NOT**
25 **BE DISMISSED, SUSPENDED, DISCIPLINED, DEMOTED, REASSIGNED, TRANSFERRED,**
26 **OR OTHERWISE RETALIATED AGAINST FOR ACTING IN A MANNER CONSISTENT WITH**
27 **THE ADOPTED WRITTEN POLICY.**

28 **[(f)] (G)** The director of each library shall:

29 (1) Act as the general executive officer of the library and be responsible for
30 the management of its operations in accordance with policies approved by the board of
31 library trustees;

- 1 (v) For fiscal year 2019 – \$15.50;
- 2 (vi) For fiscal year 2020 – \$16.00;
- 3 (vii) For fiscal year 2021 – \$16.43;
- 4 (viii) For fiscal year 2022 – \$17.10;
- 5 (ix) For fiscal year 2023 – \$17.50;
- 6 (x) For fiscal year 2024 – \$17.90;
- 7 (xi) For fiscal year 2025 – \$18.30;
- 8 (xii) For fiscal year 2026 – \$18.70; and
- 9 (xiii) For fiscal year 2027 and each fiscal year thereafter – \$19.10.

10 (2) (i) **[The] SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE**
 11 State shall share in this amount.

12 (ii) Any county may provide an amount greater than its share under
 13 the cooperative program, but the State may not share in the excess.

14 (c) Any employer Social Security contributions required by federal law for any
 15 employee in a county public library system shall remain the obligation of the employer.

16 **(D) (1) RECEIPT OF STATE FUNDING FOR A COUNTY LIBRARY SYSTEM**
 17 **THAT PARTICIPATES IN THE MINIMUM LIBRARY PROGRAM UNDER THIS SECTION IS**
 18 **CONTINGENT ON THE BOARD OF LIBRARY TRUSTEES ADOPTING A WRITTEN POLICY**
 19 **THAT IS CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES.**

20 **(2) THE STATE LIBRARIAN SHALL AUTHORIZE THE STATE**
 21 **COMPTROLLER TO WITHHOLD STATE FUNDS FROM A COUNTY PUBLIC LIBRARY**
 22 **SYSTEM THAT DOES NOT ADOPT A WRITTEN POLICY THAT IS CONSISTENT WITH THE**
 23 **STATE STANDARDS FOR LIBRARIES.**

24 23–506.

25 (a) The State Librarian shall authorize the payment of funds under this subtitle:

26 (1) To the board of library trustees of each county that has a board of
 27 trustees; or

1 (2) In each county that does not have a board of library trustees, to the
2 county.

3 (b) (1) Current operating funds shall be administered by the county board of
4 library trustees.

5 (2) Capital expense funds shall be administered by the county council,
6 board of county commissioners, or Mayor and City Council of Baltimore City.

7 (c) (1) The funds provided under this subtitle may be used only for library
8 purposes.

9 (2) The State Librarian shall require that these funds be used subject to
10 [any]:

11 **(I) THE ADOPTION OF A WRITTEN POLICY CONSISTENT WITH**
12 **THE STATE STANDARDS FOR LIBRARIES BY EACH BOARD OF LIBRARY TRUSTEES OR,**
13 **IF THE COUNTY DOES NOT HAVE A BOARD OF LIBRARY TRUSTEES, THE COUNTY**
14 **GOVERNMENT; AND**

15 **(II) ANY OTHER** conditions specified by the appropriating agency or
16 imposed under this subtitle.

17 23–507.

18 The State Librarian shall authorize the State Comptroller to withhold State funds
19 from any county that fails:

20 (1) To appropriate the amount of its share of the minimum program; or

21 (2) To meet the requirements of the law or of the State Library Board for
22 operating the county library, **INCLUDING THE REQUIREMENT THAT THE COUNTY**
23 **LIBRARY BE OPERATED IN A MANNER THAT IS CONSISTENT WITH THE STATE**
24 **STANDARDS FOR LIBRARIES.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2024.