

SENATE BILL 524

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0lr1025
CF HB 1000

By: Senators Elfreth, Augustine, Bailey, Beidle, Benson, Carter, Ellis, Feldman, Griffith, Guzzone, Hayes, Hester, Kagan, Klausmeier, Kramer, Lam, Lee, Patterson, Peters, Pinsky, Rosapepe, Serafini, Smith, Sydnor, Waldstreicher, Washington, West, Young, and Zucker

Introduced and read first time: January 30, 2020

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 11, 2020

CHAPTER _____

1 AN ACT concerning

2 **Building Lifelong Library Learners Act**

3 FOR the purpose of prohibiting a public library from charging a ~~minor an overdue~~ fine for
4 overdue library materials ~~or fee for an overdue library book~~ on a minor's library
5 materials; prohibiting a public library from charging ~~a minor a replacement fine or~~
6 fee until a certain date; requiring a public library to cancel or return a certain
7 ~~replacement fine or~~ fee if a book is returned; prohibiting a public library from
8 collecting any outstanding ~~fine or fee~~ fees incurred by a minor for ~~an overdue book~~
9 ~~on or before certain dates~~; overdue library materials after a certain date; requiring
10 certain library boards to adopt certain regulations; altering the calculation of certain
11 funding for the State Library Research Center and each county public library system
12 for certain fiscal years; requiring the Governor to include a certain amount in the
13 annual operating or capital budget submission for county capital projects; defining ~~a~~
14 ~~certain term~~ certain terms; providing for the application of this Act; and generally
15 relating to public libraries in the State.

16 BY adding to

17 Article – Education

18 Section ~~23-110~~ 23-409

19 Annotated Code of Maryland

20 (2018 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
 2 Article – Education
 3 Section ~~23-505(d)~~, 23-205(d), 23-503(b), and 23-509(e)(5)
 4 Annotated Code of Maryland
 5 (2018 Replacement Volume and 2019 Supplement)

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

8 **Article – Education**

9 ~~23-110. 23-409.~~

10 ~~(A) IN THIS SECTION, “OVERDUE FINE OR FEE FOR AN OVERDUE LIBRARY~~
 11 ~~BOOK” INCLUDES~~

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 13 INDICATED.

14 (2) “FEE” MEANS AN AMOUNT CHARGED BY A PUBLIC LIBRARY TO AN
 15 INDIVIDUAL FOR THE REPLACEMENT OF LIBRARY MATERIALS THAT HAVE NOT BEEN
 16 RETURNED.

17 (3) “FINE FOR OVERDUE LIBRARY MATERIALS” INCLUDES ANY FINE
 18 ~~OR FEE~~ CHARGED BY A PUBLIC LIBRARY TO AN INDIVIDUAL FOR NOT RETURNING A
 19 LIBRARY ~~BOOK~~ MATERIALS BY THE DUE DATE.

20 (4) “SPECIAL COLLECTIONS” INCLUDES ITEMS SUCH AS CAKE PANS,
 21 TOOLS, AND FRAME ART.

22 (B) THIS SECTION DOES NOT APPLY TO SPECIAL COLLECTIONS.

23 ~~(B)~~ (C) (1) A PUBLIC LIBRARY MAY NOT CHARGE A ~~MINOR AN OVERDUE~~
 24 FINE FOR OVERDUE LIBRARY MATERIALS ~~OR FEE FOR AN OVERDUE LIBRARY BOOK~~
 25 ON A MINOR’S LIBRARY MATERIALS.

26 (2) (I) A PUBLIC LIBRARY MAY NOT CHARGE A ~~MINOR A~~
 27 REPLACEMENT FINE OR FEE FOR AN A MINOR’S OVERDUE LIBRARY ~~BOOK~~
 28 MATERIALS UNTIL ~~THREE MONTHS~~ 21 DAYS AFTER THE DATE ON WHICH THE
 29 LIBRARY ~~BOOK WAS~~ MATERIALS WERE DUE.

30 (II) IF AN A MINOR’S OVERDUE LIBRARY ~~BOOK IS~~ MATERIALS
 31 ARE RETURNED AFTER A PUBLIC LIBRARY HAS CHARGED A ~~MINOR A REPLACEMENT~~
 32 FINE OR FEE, THE PUBLIC LIBRARY SHALL CANCEL THE ~~FINE OR FEE OR RETURN~~
 33 THE FINE OR FEE AMOUNT TO THE MINOR FEE.

~~(C)~~ **(D)** A PUBLIC LIBRARY MAY NOT ATTEMPT TO COLLECT ANY OUTSTANDING ~~FINE OR FEE FOR AN~~ FEES FOR OVERDUE LIBRARY BOOK MATERIALS THAT ~~WAS~~ ARE INCURRED BY A MINOR ~~ON OR BEFORE JUNE 30, 2020~~ AFTER JUNE 30, 2021.

(E) EACH BOARD OF LIBRARY TRUSTEES SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

23–205.

(d) (1) Each year the State Library Resource Center shall receive a minimum amount of funding for each State resident in the previous fiscal year, to be used for operating and capital expenses.

(2) The allocation shall be calculated as follows:

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

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

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

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

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

[and]

(vi) For fiscal year 2021 [and each fiscal year thereafter].....\$1.85 per State resident;

(VII) FOR FISCAL YEAR 2022.....\$1.89 PER STATE RESIDENT;

(VIII) FOR FISCAL YEAR 2023.....\$1.93 PER STATE RESIDENT; AND

~~**(IX) FOR FISCAL YEAR 2024.....\$1.97 PER STATE RESIDENT;**~~

~~**(X) FOR FISCAL YEAR 2025.....\$2.01 PER STATE RESIDENT; AND**~~

~~**(XI) FOR FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER.....\$2.05 PER STATE RESIDENT.**~~

(IX) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER.....\$1.97 PER STATE RESIDENT.

1 23-503.

2 (b) (1) Each county public library system that participates in the minimum
3 library program shall be provided for each resident of the county, to be used for operating
4 and capital expenses:

5 (i) For each of fiscal years 2011 through 2015 – \$14.00;

6 (ii) For fiscal year 2016 – \$14.27;

7 (iii) For fiscal year 2017 – \$14.54;

8 (iv) For fiscal year 2018 – \$15.00;

9 (v) For fiscal year 2019 – \$15.50;

10 (vi) For fiscal year 2020 – \$16.00;

11 (vii) For fiscal year 2021 – \$16.43; and

12 (viii) For fiscal year 2022 and each fiscal year thereafter – **[\$16.70]**

13 **\$17.10.**

14 (2) (i) The State shall share in this amount.

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

17 23-509.

18 (e) (5) **(I)** For **EACH OF** fiscal [year 2008 and each fiscal year thereafter,]
19 **YEARS 2008 THROUGH 2021**, the Governor shall include in the annual operating or
20 capital budget submission \$5,000,000 for county library capital projects.

21 **(II) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR**
22 **THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL OPERATING OR**
23 **CAPITAL BUDGET SUBMISSION \$7,500,000 FOR COUNTY LIBRARY CAPITAL**
24 **PROJECTS.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2020.