

Chapter 27

(House Bill 1000 of the 2020 Regular Session)

AN ACT concerning

Building Lifelong Library Learners Act

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

BY adding to

Article – Education

Section ~~23-110~~ 23-409

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section ~~23-505(d)~~, 23-205(d), 23-503(b), and 23-509(e)(5)

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)

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

Article – Education~~23-110~~ 23-409.~~(A) IN THIS SECTION, “FINE OR FEE FOR AN OVERDUE LIBRARY BOOK”~~

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

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

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

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

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

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

(2) (I) A PUBLIC LIBRARY MAY NOT CHARGE A ~~MINOR A~~ REPLACEMENT FINE OR FEE FOR AN A MINOR’S OVERDUE LIBRARY ~~BOOK~~ MATERIALS UNTIL ~~3 MONTHS~~ 21 DAYS AFTER THE DATE ON WHICH THE LIBRARY ~~BOOK WAS~~ MATERIALS WERE DUE.

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

23-503.

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

- (i) For each of fiscal years 2011 through 2015 – \$14.00;
- (ii) For fiscal year 2016 – \$14.27;
- (iii) For fiscal year 2017 – \$14.54;
- (iv) For fiscal year 2018 – \$15.00;
- (v) For fiscal year 2019 – \$15.50;

- (vi) For fiscal year 2020 – \$16.00;
- (vii) For fiscal year 2021 – \$16.43; and
- (viii) For fiscal year 2022 and each fiscal year thereafter – ~~[\$16.70]~~

\$17.10.

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

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

23–509.

(e) (5) 1. For **EACH OF** fiscal [year 2008 and each fiscal year thereafter,] **YEARS 2008 THROUGH 2021**, the Governor shall include in the annual operating or capital budget submission \$5,000,000 for county library capital projects.

2. FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL OPERATING OR CAPITAL BUDGET SUBMISSION \$7,500,000 FOR COUNTY LIBRARY CAPITAL PROJECTS.

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

Gubernatorial Veto Override, February 12, 2021.