

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1246

(Chair, Ways and Means Committee)(By Request -
Departmental - State Library)

Ways and Means

County Public Libraries - Overdue Library Materials - Minors

This departmental bill prohibits a public library from charging a minor (an individual under the age of 18) either (1) an overdue fine for failure to return materials by the end of the loan period or (2) a replacement fee for materials until 21 days after the date on which the library materials were due. These prohibitions do not apply to special collections, as defined by the bill. If a minor's overdue library materials are returned after a replacement fee has been paid, the public library is not required to refund the replacement fee. The bill also clarifies that a public library must waive any outstanding fees for overdue library materials that are incurred by a minor after June 30, 2021; a public library is prohibited from attempting to collect these fees under current law.

Fiscal Summary

State Effect: The bill clarifies the intent of Chapter 27 of 2021. State finances are not affected.

Local Effect: Clarifications under the bill are not anticipated to substantially alter revenues or expenditures for county governments, including local libraries. Kent, Montgomery, and Worcester counties all advise that the bill does not impact local finances.

Small Business Effect: The Maryland State Library Agency has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law/Bill Summary: Chapter 27 prohibits a public library from charging a fee for a minor's overdue library materials until 21 days after the date on which the library materials were due. If a minor's overdue library materials are returned after a public library has charged a fee, the public library must cancel the fee. Chapter 27 prohibits a public library from attempting to collect any outstanding fees for overdue library materials that are incurred by a minor after June 30, 2021. The bill clarifies that a minor is an individual under the age of 18 and provides other clarifying definitions for "overdue fine," "replacement fee," and "special collections." Each board of library trustees must adopt regulations to carry out relevant provisions of current law and of the bill.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Kent, Montgomery, and Worcester counties; Maryland Association of Counties; Maryland State Library Agency; Department of Legislative Services

Fiscal Note History: First Reader - April 5, 2023
km/clb

Analysis by: Scott P. Gates

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: County Public Libraries – Overdue Library Materials – Minors

BILL NUMBER: HB 1246

PREPARED BY: Irene Padilla, State Librarian

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

OR

WILL HAVE A MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS