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EMERGENCY BILL

4lr0417 CF SB 738

By: Delegates D. Jones, A. Jones, Atterbeary, Ebersole, and Wilkins Wilkins, Fair, Feldmark, Grossman, Mireku-North, Palakovich Carr, and Wu

Introduced and read first time: January 31, 2024

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 2024

CHAPTER	
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1 AN ACT concerning

Freedom to Read Act

FOR the purpose of establishing a State policy that local school systems operate their school library media programs consistent with certain standards; requiring each local school system to develop a policy and procedures to review objections to materials in a school library media program; prohibiting a county board of education from taking certain actions against certain school library media program personnel for performing their job duties consistent with certain standards; establishing the State standards for libraries for the operation of each library that receives funding from the State; altering the duties of the State Library Board, the State Library Agency, and regional resource centers to incorporate the State standards for libraries; making funding for certain libraries contingent on adoption of a written policy for operation of the library consistent with the State standards for libraries; requiring the State Librarian to authorize the State Comptroller to withhold funding from libraries under certain circumstances; prohibiting county boards of education and the governing bodies of certain libraries from retaliating against employees for acting in a manner performing their job duties consistent with the State standards for libraries under certain circumstances; requiring a certain action involving the property of a library to be committed knowingly in order to be considered a crime; altering the maximum fine for a certain crime involving the property of a library; and generally relating to the establishment of the State policies and standards for libraries in the State.

23 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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



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BACKGROUND, OR VIEWS;

	Z HOUSE BILL 189	
1 2 3 4	Article – Education Section 4–142 and 23–102.1 Annotated Code of Maryland (2022 Replacement Volume and 2023 Supplement)	
5 6 7 8 9	BY repealing and reenacting, with amendments, Article – Education Section 23–101, 23–105, 23–106, 23–202, 23–202.1, 23–205, 23–406, $\frac{23-408}{23-506}$, and 23–507 Annotated Code of Maryland (2022 Replacement Volume and 2023 Supplement)	23–503
11 12	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARY That the Laws of Maryland read as follows:	YLAND
13	Article – Education	
14	4–142.	
15 16	(A) In this section, "State standards for libraries" H. MEANING STATED IN § 23–101 OF THIS ARTICLE.	AS THE
17 18 19	(A) IT IS THE POLICY OF THE STATE THAT EACH LOCAL SCHOOL SOMEONER OPERATE ITS SCHOOL LIBRARY MEDIA PROGRAM CONSISTENT WITH FOLLOWING STANDARDS:	
20 21 22 23	(1) THE MATERIALS, SERVICES, AND RESOURCES PROVIDE SCHOOL LIBRARY MEDIA PROGRAM ARE PROVIDED FOR THE INTINFORMATION, AND INSTRUCTIONAL SUPPORT OF STUDENTS AND SPERSONNEL OF THE SCHOOLS THE PROGRAM SERVES;	TEREST
24 25 26	(2) MATERIALS MAY NOT BE EXCLUDED FROM A SCHOOL L MEDIA PROGRAM SOLELY BECAUSE OF THE ORIGIN, BACKGROUND, OR VI THE INDIVIDUAL WHO CREATED THE MATERIAL;	
27 28 29	(3) MATERIALS MAY NOT BE EXCLUDED OR REMOVED FROM CATALOGUE OF A SCHOOL LIBRARY MEDIA PROGRAM BECAUSE OF PAINTED LOGICAL, OR RELIGIOUS DISAPPROVAL;	
30 31	(4) THE RIGHT TO USE A SCHOOL LIBRARY BELONGS TO STUDENTS AND SCHOOL PERSONNEL SERVED BY THE LIBRARY AND THAT	

SHOULD NOT BE DENIED OR HINDERED BECAUSE OF AN INDIVIDUAL'S ORIGIN,

- 1 (5) A SCHOOL LIBRARY SHOULD MAKE ITS PUBLIC SPACES AND
- 2 FACILITIES AVAILABLE TO ALL STUDENTS AND SCHOOL PERSONNEL ON AN
- 3 EQUITABLE BASIS; AND
- 4 (6) A SCHOOL LIBRARY SHOULD HONOR THE RIGHT OF PRIVACY OF
- 5 EACH STUDENT AND EACH SCHOOL EMPLOYEE WHO USES ITS SERVICES AND MUST
- 6 PROTECT PERSONAL DATA AND INFORMATION.
- 7 (B) (1) EACH LOCAL SCHOOL SYSTEM SHALL DEVELOP AND IMPLEMENT
- 8 A POLICY AND PROCEDURES TO REVIEW OBJECTIONS TO MATERIALS IN THE SCHOOL
- 9 LIBRARY MEDIA PROGRAM.
- 10 (2) THE POLICY AND PROCEDURES DEVELOPED UNDER PARAGRAPH
- 11 (1) OF THIS SUBSECTION SHALL:
- 12 <u>(I)</u> ESTABLISH A UNIFORM PROCESS TO SUBMIT AN OBJECTION
- 13 TO MATERIALS IN A SCHOOL LIBRARY MEDIA PROGRAM BY A STUDENT, PARENT OR
- 14 GUARDIAN OF A STUDENT ENROLLED IN A SCHOOL IN THE LOCAL SCHOOL SYSTEM,
- 15 OR SCHOOL PERSONNEL;
- 16 (II) REQUIRE MATERIALS UNDER REVIEW DUE TO AN
- 17 OBJECTION TO REMAIN AVAILABLE FOR USE BY STUDENTS AND SCHOOL
- 18 PERSONNEL UNTIL THE REVIEW PROCESS HAS CONCLUDED; AND
- 19 (III) ESTABLISH A REASONABLE TIMELINE TO CONDUCT AND
- 20 CONCLUDE THE REVIEW PROCESS IN A TIMELY MANNER.
- 21 (B) (C) A COUNTY BOARD MAY NOT DISMISS, DEMOTE, SUSPEND,
- 22 DISCIPLINE, REASSIGN, TRANSFER, OR OTHERWISE RETALIATE AGAINST A
- 23 LIBRARIAN OR, A CERTIFIED LIBRARY MEDIA SPECIALIST, OR SCHOOL LIBRARY
- 24 <u>MEDIA PROGRAM SUPPORT STAFF</u> EMPLOYED BY A COUNTY-BOARD-MAY NOT BE
- 25 DISMISSED, DEMOTED, SUSPENDED, DISCIPLINED, REASSIGNED, TRANSFERRED, OR
- 26 OTHERWISE RETALIATED AGAINST FOR ACTING IN A MANNER FOR PERFORMING
- 27 THEIR JOB DUTIES CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES
- 28 STANDARDS DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION.
- 29 23–101.
- 30 (a) In this title the following words have the meanings indicated.
- 31 (b) "Print disabled individual" means an individual who cannot effectively read
- 32 print because of a visual, physical, perceptual, developmental, cognitive, or learning
- 33 disability.

(c) "State Library Agency" means the Maryland State Library Agency.

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CREATED THE MATERIAL; $\frac{AND}{C}$

1	(d) "S	tate Libra	ary Board" means the Maryland State Library Board.
2 3 4 5 6	OPERATION OF CONTRACT OF CONTR	F A LIBR. F THIS SI DF A LI	ANDARDS FOR LIBRARIES" MEANS THE PHILOSOPHY FOR THE ARY THAT ADHERES TO THE STANDARDS ENUMERATED IN § UBTITLE STANDARDS FOR THE CONSISTENT AND EQUITABLE BRARY THAT SERVE ALL CITIZENS OF THE STATE AS 23-102.1(B) OF THIS SUBTITLE.
7	23–102.1.		
8	(A) <u>(1</u>	<u> In th</u>	HIS SECTION, "LIBRARY" INCLUDES:
9		<u>(I)</u>	THE STATE LIBRARY RESOURCE CENTER;
0		<u>(II)</u>	A REGIONAL RESOURCE CENTER;
1		<u>(III)</u>	A CORRECTIONAL FACILITY LIBRARY;
12 13	LIBRARY IN B	<u>(IV)</u> ALTIMOR	A COUNTY LIBRARY SYSTEM AND THE ENOCH PRATT FREE
14 15	PRINT DISABI	<u>(V)</u> LED;	THE MARYLAND STATE LIBRARY FOR THE BLIND AND
16		<u>(VI)</u>	THE MARYLAND DEAF CULTURE DIGITAL LIBRARY; AND
17		<u>(VII)</u>	A METROPOLITAN COOPERATIVE SERVICE PROGRAM.
18	(2 PROGRAM EST		RARY" DOES NOT INCLUDE A SCHOOL LIBRARY MEDIA D BY A LOCAL SCHOOL SYSTEM.
20 21 22		IALL OPE	GOAL POLICY OF THE STATE THAT EACH LIBRARY IS ERATE IN A MANNER THAT RECOGNIZES CONSISTENT WITH DARDS:
23 24 25		ROVIDED	ARY MATERIALS, SERVICES, AND RESOURCES EXIST AND FOR THE INTEREST, INFORMATION, AND ENLIGHTENMENT IBRARY SERVES;

(2) A LIBRARY SHOULD NOT EXCLUDE MATERIAL FROM ITS

CATALOGUE BECAUSE OF THE ORIGIN, BACKGROUND, OR VIEWS OF A PERSON WHO

- 1 (3) A LIBRARY SHOULD NOT PROHIBIT OR REMOVE MATERIAL FROM
 2 ITS CATALOGUE BECAUSE OF PARTISAN OR DOCTRINAL, IDEOLOGICAL, OR
 3 RELIGIOUS DISAPPROVAL;
- 4 (4) THE RIGHT TO USE A LIBRARY BELONGS TO ALL INDIVIDUALS IN
 5 THE LIBRARY'S COMMUNITY AND THAT RIGHT SHOULD NOT BE DENIED OR
 6 HINDERED BECAUSE OF AN INDIVIDUAL'S ORIGIN, AGE, BACKGROUND, OR VIEWS;
- 7 (5) A LIBRARY SHOULD MAKE ITS PUBLIC SPACES AND FACILITIES
 8 AVAILABLE TO ALL MEMBERS OF THE PUBLIC IT SERVES ON AN EQUITABLE BASIS;
 9 AND
- 10 (6) A LIBRARY SHOULD HONOR THE RIGHT OF PRIVACY OF EACH
 11 INDIVIDUAL WHO USES ITS SERVICES AND MUST PROTECT PERSONAL DATA AND
 12 INFORMATION.
- 13 (B) (C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT ANY A
 14 LIBRARY, SCHOOL LIBRARY, RESOURCE CENTER, OR OTHER LIBRARY
 15 ARRANGEMENT DEVELOPED BY THE STATE LIBRARY AGENCY THAT RECEIVES
 16 FUNDING FROM THE STATE SHALL ADOPT AND FOLLOW A WRITTEN POLICY FOR
 17 OPERATION OF A LIBRARY THAT IS CONSISTENT WITH THE STATE STANDARDS FOR
 18 LIBRARIES ENUMERATED IN UNDER SUBSECTION (A) (B) OF THIS SECTION.
- 19 23–105.
- 20 (a) In addition to the other powers granted and duties imposed by this article, the 21 State Library Board has the powers and duties set forth in this section.
- 22 (b) The State Library Board shall appoint the State Librarian.
- 23 (c) The State Library Board shall exercise general direction and control of library 24 development in this State and may:
- 25 (1) Adopt rules and regulations necessary to administer this title;
- 26 (2) After considering the recommendations of the State Librarian, establish library policies and procedures for the statewide system of libraries;
- 28 (3) Consider the library needs of this State and recommend to the Governor 29 and the General Assembly desirable legislation; and
- 30 (4) With the approval of the Governor, accept, administer, and spend any appropriation, gift, or grant for library purposes from the federal government or from any other person.

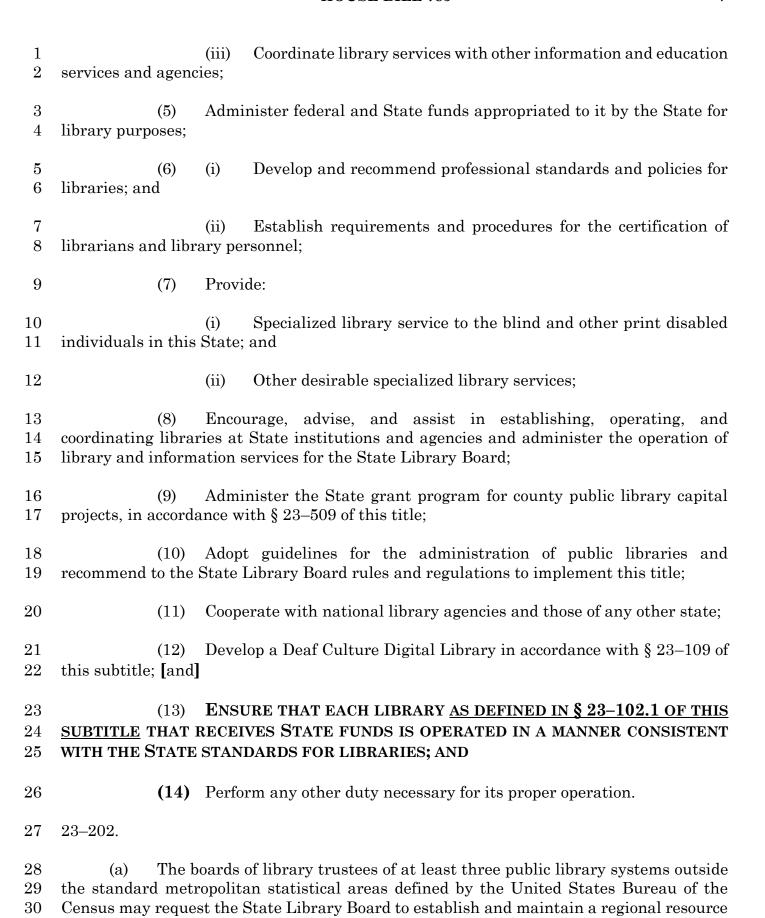
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(ii)

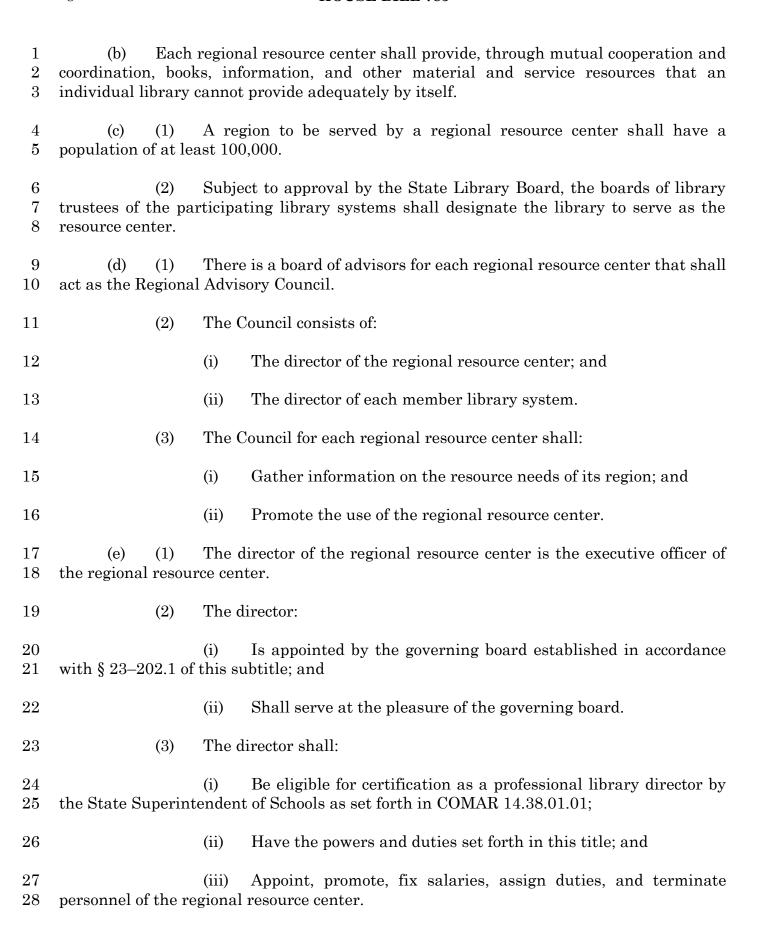
studies of them: and

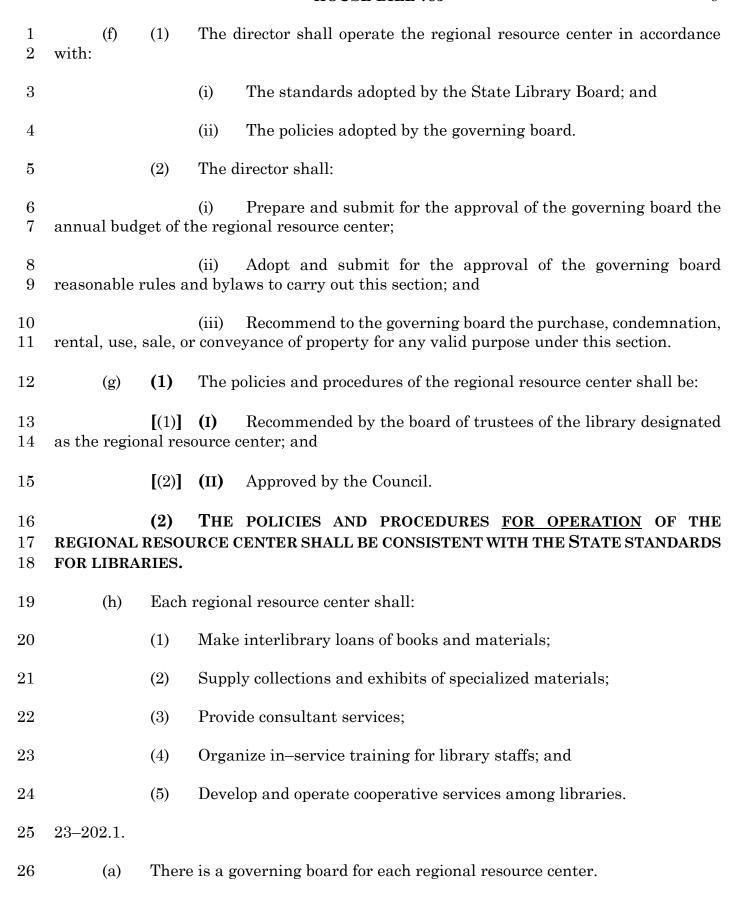
1 In accordance with the bylaws, rules, and regulations of the State Board of 2 Education, the State Superintendent shall certificate professional library personnel. 3 (e) Each year the State Library Board shall report to the Governor and the people of this State on the support, condition, progress, and needs of libraries. 4 5 The report required under paragraph (1) of this subsection shall include 6 any findings of the State Library Agency related to its duties under § 23–106(b)(4) of this 7 subtitle. 8 (f) The State Library Board shall approve county public library capital projects for State funding in accordance with § 23-509 of this title. 9 10 (G) THE STATE LIBRARY BOARD SHALL DEVELOP POLICIES FOR THE OPERATION OF LIBRARIES THAT ALIGN ARE CONSISTENT WITH THE STATE 11 12 STANDARDS FOR LIBRARIES. 13 23-106.14 In addition to any other powers granted and duties imposed by this title, and subject to the authority of the State Library Board, the State Library Agency has the 15 powers and duties set forth in this section. 16 17 (b) The State Library Agency shall: Provide leadership and guidance for the planning and coordinated 18 19 development of library and information service in this State; 20 (2)Develop statewide public and school library services and networks, 21resource centers, and other arrangements to meet the library and information needs of this 22 State: 23 Provide professional and technical advice on improving library services (3)in this State to: 2425Public and school library officials; (i) 26 (ii) Higher education and special library officials; 27 State government agencies; and (iii) 28 Any other person; (iv) 29 (4) (i) Collect library statistics and other data;

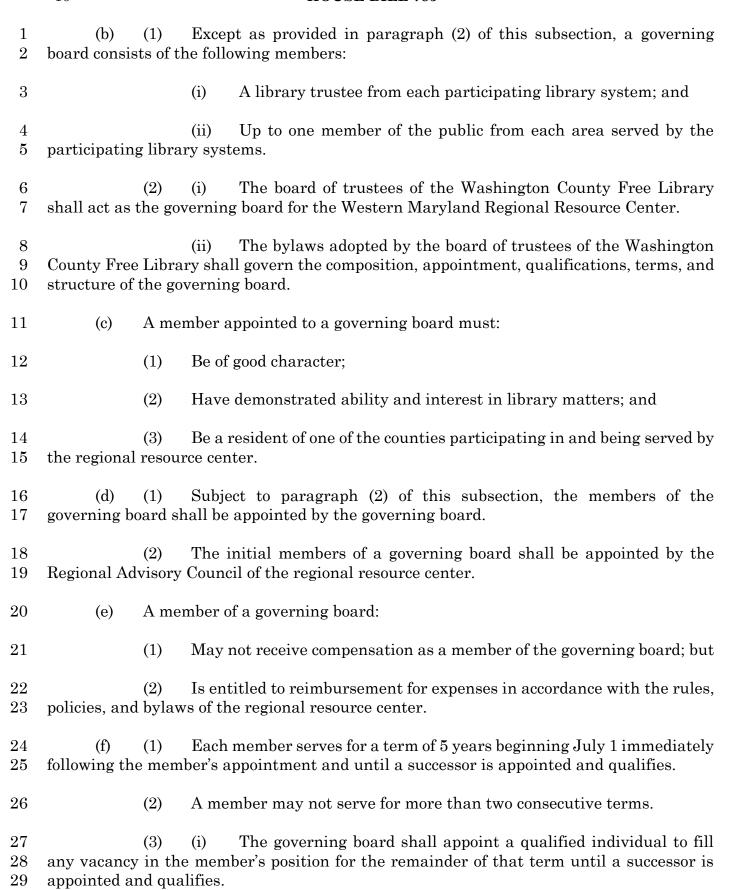
Identify library needs and provide for needed research and



center.







1 A member appointed to fill a vacancy under subparagraph (i) of (ii) 2 this paragraph may serve for two additional terms. 3 (g) (1) A governing board shall elect a chair from among its members each 4 year. 5 (2) A governing board may elect any other officers determined necessary 6 by the board. 7 If a governing board elects a treasurer, the treasurer shall be (3)8 appropriately bonded. 9 (h) (1) A governing board: (i) 10 Shall determine the time and place of its meetings; and 11 (ii) May adopt rules for the conduct of its meetings. 12 (2)A governing board shall meet at least once every 3 months. 13 (3) A governing board is subject to the Open Meetings Act. 14 (4) A majority of the appointed members of the governing board is a 15 quorum. 16 A member of a governing board who fails to attend at least 50% of the 17 scheduled meetings of the board during any consecutive 12-month period shall be 18 considered to have resigned. 19 If the member has been unable to attend meetings for reasons satisfactory to the governing board, the governing board may waive the resignation. 20 21The chair of a governing board shall report the member's name and 22nonattendance to the State Library Board within 45 days after the end of the 12-month 23 period. 24 The governing board shall fill any vacancy in accordance with **(4)** 25subsection (f) of this section. 26 (1) In addition to the other powers expressly granted and duties imposed 27 by this subtitle, a governing board has the powers and duties set forth in this subsection. 28 (2)A governing board shall:

professional librarian to serve as director of the regional resource center;

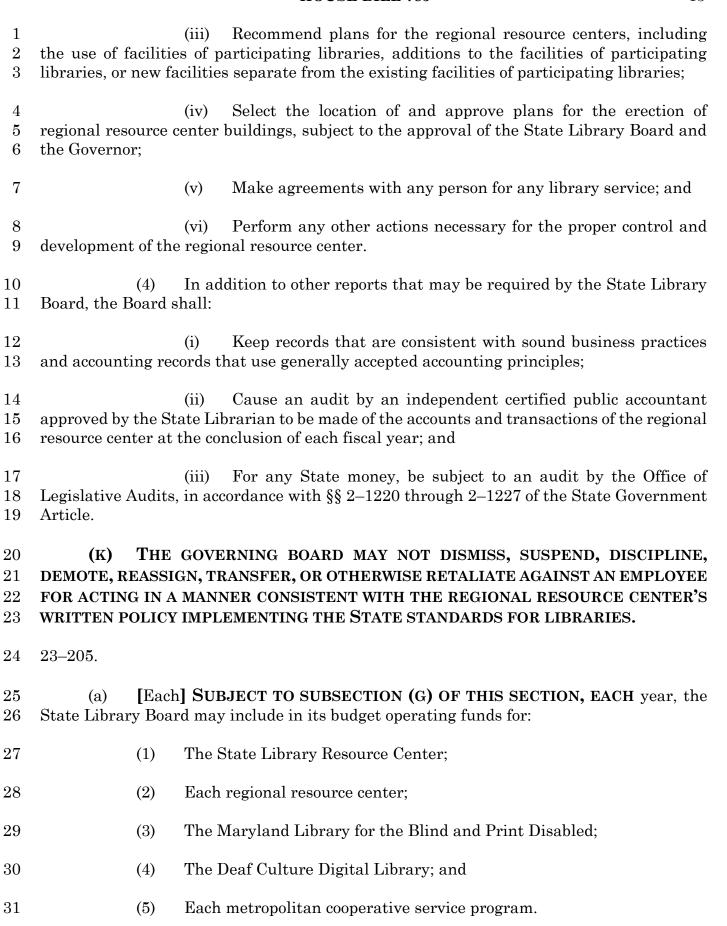
Select and appoint, with the advice of the State Librarian, a

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HOUSE BILL 785

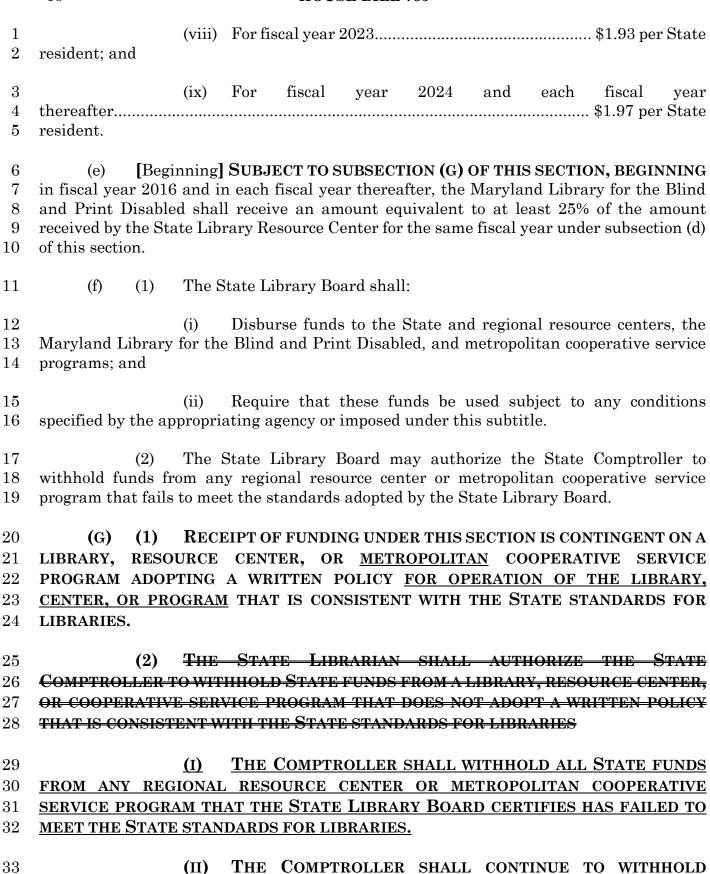
1	(ii) Determine the policies of the regional resource center;
2 3	(iii) Adopt reasonable rules and bylaws for the use of the regional resource center and the conduct of its business;
4	(iv) Approve the regional resource center budget;
5 6 7	(v) In accordance with the regulations and laws of the State, receive, account for, control, and supervise the spending of all public funds received by the regional resource center;
8 9 10 11	(VI) ADOPT <u>AND FOLLOW</u> A WRITTEN POLICY <u>FOR OPERATION</u> <u>OF THE REGIONAL RESOURCE CENTER</u> THAT IS CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES AND CONDUCT THE OPERATION OF THE REGIONAL RESOURCE CENTER IN A MANNER CONSISTENT WITH THE WRITTEN POLICY ;
12 13	[(vi)] (VII) Publish the results of the audit conducted under paragraph (4)(ii) of this subsection; and
$\frac{14}{5}$	[(vii)] (VIII) Submit a report to the State Librarian on or before November 1 each year that includes:
16 17	1. The amount of money received from the library fund and other sources;
18	2. Itemized expenses;
19 20	3. The number of books and periodicals in the possession of and owned by the regional resource center;
21	4. The results of the annual audit; and
22 23	5. Any other information required by the State Library Board.
24	(3) A governing board may:
25 26 27	(i) Apply, accept, and expend any gift, appropriation, or grant from the State, county, or federal government or any other person on behalf of the regional resource center;
28 29	(ii) Recommend the purchase, condemnation, rental, acquisition, use, or conveyance of property for any valid purpose under this section;



1 2	(b) (1) shall pay all capita	_	SUBJECT TO SUBSECTION (G) OF THIS SECTI	ON, THE State
3		(i)	The State Library Resource Center; and	
4		(ii)	Each regional resource center.	
5 6	(2) of library trustees		re any money is spent under this subsection, the app	propriate board
7		(i)	Have the project approved by the State Library B	Soard;
8 9 10	•	_	Through the State Library Board, submit the nd Management for consideration under Title 3, S rement Article; and	=
11 12 13	Library Board de		Agree to reimburse the State Library Board an annes if the facility ceases to be used for a resonant.	
14 15 16		region	n] SUBJECT TO SUBSECTION (G) OF THIS SECTION all resource center shall receive a minimum amount served, to be used for operating and capital expenses.	t of funding for
17	(2)	The a	allocation shall be calculated as follows:	
18 19	resident of the are	(i) a serve	For each of fiscal years 2011 through 2015ed;	\$6.75 per each
20 21	resident of the are	(ii) a serve	For fiscal year 2016ed;	. \$6.95 per each
22 23	resident of the are	(iii) a serv	For fiscal year 2017ed;	\$7.15 per each
24 25	resident of the are	(iv) a serv	For fiscal year 2018ed;	. \$7.55 per each
26 27	resident of the are	(v) a serv	For fiscal year 2019ed;	. \$7.95 per each
28 29	resident of the are	(vi) a serv	For fiscal year 2020ed;	. \$8.35 per each
30	resident of the are	(vii)	For fiscal year 2021	\$8.55 per each

$\frac{1}{2}$	resident of the are	, ,		cal year 2	2022		•••••		\$8.75 per 6	each
3 4	resident of the are			cal year 2	2023		•••••		\$9.19 per 6	each
5 6	resident of the are			cal year 2	2024		•••••		\$9.39 per 6	each
7 8	resident of the are			cal year 2	2025		•••••		\$9.59 per 6	each
9 10	resident of the are			cal year 2	2026		•••••		\$9.79 per 6	each
11 12 13	thereafterresident of the are					2027				year each
14 15 16	(d) (1) the State Library State resident in the	Resour	ce Cent	ter shall	receive a	a minimu	m amou	ınt of fu	_	each
17	(2)	The a	llocatio	n shall be	e calculat	ted as foll	ows:			
17 18 19	(2) resident;	The a						i	\$1.67 per S	state
18			For eac	ch of fisca	ıl years 2	010 throu	ıgh 2016		\$1.67 per S \$1.69 per S	
18 19 20	resident;	(i)	For fisc	ch of fisca cal year 2	al years 20	010 throu	igh 2016		_	State
18 19 20 21	resident;	(i) (ii)	For fiso	ch of fisca cal year 2 cal year 2	ol years 24 2017	010 throu	igh 2016		\$1.69 per S	State State
18 19 20 21 22 23 24	resident; resident; resident;	(i) (ii) (iii)	For fisc	ch of fisca cal year 2 cal year 2	ol years 26 2017	010 throu	igh 2016		\$1.69 per S \$1.73 per S	State State State
18 19 20 21 22 23 24 25 26	resident; resident; resident; resident;	(i)(ii)(iii)(iv)	For fisc For fisc For fisc	ch of fisca cal year 2 cal year 2 cal year 2	ol years 26 2017	010 throu	igh 2016		\$1.69 per S \$1.73 per S \$1.77 per S	State State State

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FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH UNTIL THE STATE LIBRARY BOARD CERTIFIES THAT THE REGIONAL RESOURCE CENTER OR METROPOLITAN

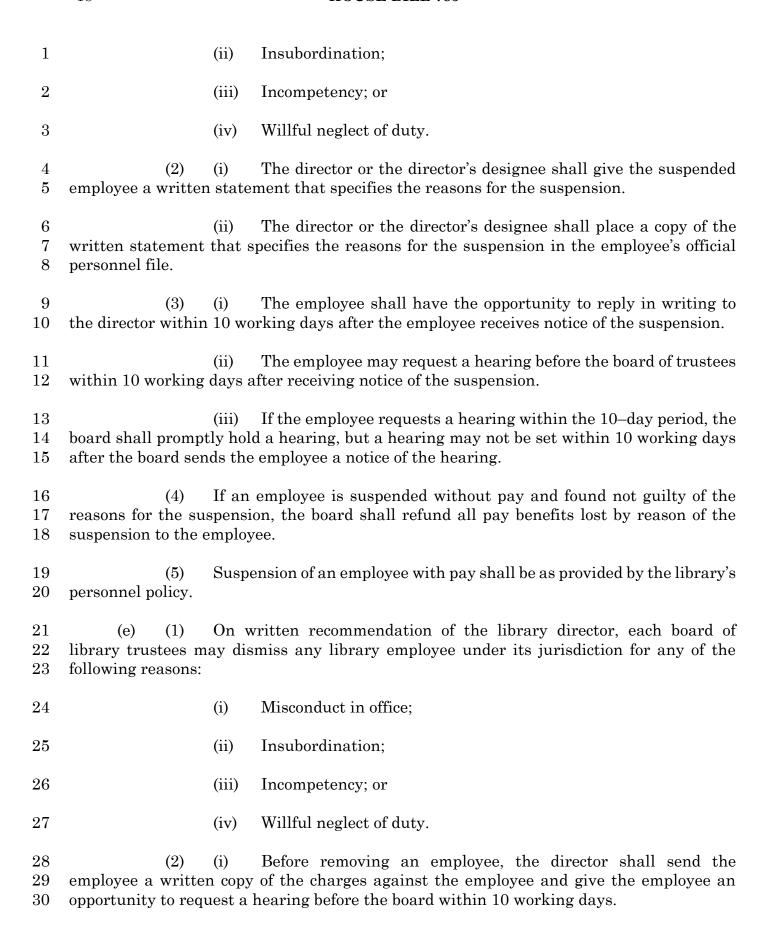
$\frac{1}{2}$		E SERVICE PROGRAM HAS ADOPTED A WRITTEN POLICY CONSISTENT ATE STANDARDS FOR LIBRARIES.
3	23–406.	
4	(a) I	Each board of library trustees:
5 6	,	Shall select and appoint a professional librarian eligible for certification the library to serve at the pleasure of the board; and
7 8	necessary emp	2) May delegate to the director its authority to appoint any other loyees.
9	(b) I	Each board of library trustees shall establish policies for:
0	(1) Staff classification;
1	(2) Salaries;
2	(B) Work conditions;
13	(1) Suspension with pay;
4	(5) Grievance procedures;
5	(Benefits, including vacation and sick leave;
6	(7) Hours of work; and
17 18	operation of the	8) Any other personnel procedures and practices necessary for the efficient ne library.
9	(c) I	Each professional public librarian appointee to the professional library staff:
20 21	(Superintende	1) Shall hold a certificate of library qualifications issued by the State at; or
22 23	(librarian; and	2) (i) Shall be eligible for State certification as a professional public
24 25	employment.	(ii) Shall apply for certification within 6 months of starting
26 27	` ' '	The director or the director's designee may suspend a library employee or a specified period up to 10 working days, for the following reasons:

Misconduct in office;

(i)

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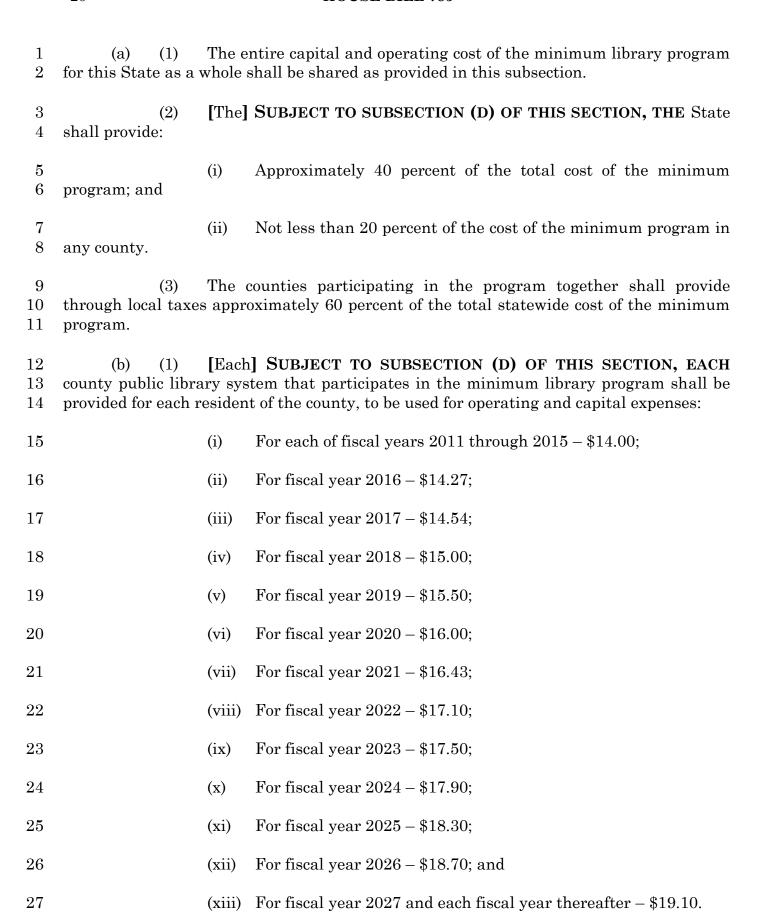
1 2 3	(ii) If the employee requests a hearing within the 10-day period the board promptly shall hold a hearing, but a hearing may not be set within 10 working days after the board sends the employee a notice of the hearing.
4 5 6	(iii) The employee shall have an opportunity to be heard publicly before the board in his own defense, in person or by counsel and to bring witnesses to the hearing.
7	(3) If the board votes to remove the employee and:
8	(i) The decision is unanimous, the decision of the board is final; or
9 10	(ii) The decision is not unanimous, the employee may appeal to the State Library Board through the State Librarian.
11 12 13 14 15	(F) IF THE BOARD OF LIBRARY TRUSTEES ADOPTS A WRITTEN POLICY CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES, AN EMPLOYEE MAY NOT BE DISMISSED, SUSPENDED, DISCIPLINED, DEMOTED, REASSIGNED, TRANSFERRED, OR OTHERWISE RETALIATED AGAINST FOR ACTING IN A MANNER PERFORMING THEIR JOB DUTIES CONSISTENT WITH THE ADOPTED WRITTEN POLICY.
16	[(f)] (G) The director of each library shall:
17 18 19	(1) Act as the general executive officer of the library and be responsible for the management of its operations in accordance with policies approved by the board of library trustees;
20 21	(2) Prepare the annual budget of the library, and present it to the board for approval;
22 23	(3) Nominate for appointment all library employees in the county library system; and
24 25	(4) Establish reasonable rules and adopt regulations for the use of the library system subject to approval by the board of library trustees.
26	23-408.
27 28	(a) A person may not KNOWINGLY AND unlawfully take, detain, mutilate, injure, or disfigure any book, map, picture, engraving, manuscript, or other property of any library.
29	(b) Any person who violates this section is guilty of a misdemeanor and on

conviction is subject to a fine not exceeding [\$250] \$1,000, imprisonment not exceeding 3

32 23–503.

months, or both.

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1 (2)[The] SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE (i) 2 State shall share in this amount. 3 Any county may provide an amount greater than its share under (ii) the cooperative program, but the State may not share in the excess. 4 5 Any employer Social Security contributions required by federal law for any 6 employee in a county public library system shall remain the obligation of the employer. 7 **(1)** RECEIPT OF STATE FUNDING FOR A COUNTY LIBRARY SYSTEM 8 THAT PARTICIPATES IN THE MINIMUM LIBRARY PROGRAM UNDER THIS SECTION IS 9 CONTINGENT ON THE BOARD OF LIBRARY TRUSTEES ADOPTING A WRITTEN POLICY 10 FOR OPERATION OF THE COUNTY LIBRARY SYSTEM THAT IS CONSISTENT WITH THE 11 STATE STANDARDS FOR LIBRARIES. 12 **(2)** THE STATE LIBRARIAN SHALL AUTHORIZE THE STATE 13 COMPTROLLER TO WITHHOLD STATE FUNDS FROM A COUNTY PUBLIC LIBRARY 14 SYSTEM THAT DOES NOT ADOPT A WRITTEN POLICY THAT IS CONSISTENT WITH THE 15 STATE STANDARDS FOR LIBRARIES 16 **(I)** THE COMPTROLLER SHALL WITHHOLD ALL STATE FUNDS 17 FROM A COUNTY LIBRARY SYSTEM THAT THE STATE LIBRARY BOARD CERTIFIES HAS FAILED TO MEET THE STATE STANDARDS FOR LIBRARIES. 18 THE COMPTROLLER SHALL CONTINUE TO WITHHOLD 19 (II)20 FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH UNTIL THE STATE LIBRARY 21BOARD CERTIFIES THAT THE COUNTY LIBRARY SYSTEM HAS ADOPTED A WRITTEN 22 POLICY CONSISTENT WITH THE STATE STANDARDS FOR LIBRARIES. 2323-506. 24 The State Librarian shall authorize the payment of funds under this subtitle: (a) To the board of library trustees of each county that has a board of 25 (1) 26trustees; or 27 (2)In each county that does not have a board of library trustees, to the 28 county. 29 (b) Current operating funds shall be administered by the county board of (1) 30 library trustees.

Capital expense funds shall be administered by the county council,

board of county commissioners, or Mayor and City Council of Baltimore City.

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(2)

- 1 (c) (1) The funds provided under this subtitle may be used only for library 2 purposes.
- 3 (2) The State Librarian shall require that these funds be used subject to 4 [any]:
- 5 (I) THE ADOPTION OF A WRITTEN POLICY <u>FOR OPERATION OF</u>
 6 <u>THE COUNTY LIBRARY SYSTEM</u> CONSISTENT WITH THE STATE STANDARDS FOR
 7 LIBRARIES BY EACH BOARD OF LIBRARY TRUSTEES OR, IF THE COUNTY DOES NOT
 8 HAVE A BOARD OF LIBRARY TRUSTEES, THE COUNTY GOVERNMENT; AND
- 9 **(II) ANY OTHER** conditions specified by the appropriating agency or 10 imposed under this subtitle.
- 11 23-507.
- 12 **(A)** The State Librarian shall authorize the State Comptroller to withhold State 13 funds from any county that fails:
- 14 (1) To appropriate the amount of its share of the minimum program; or
- 15 (2) To meet the requirements of the law or of the State Library Board for 16 operating the county library, INCLUDING THE REQUIREMENT THAT THE COUNTY 17 LIBRARY BE OPERATED IN A MANNER THAT IS CONSISTENT WITH THE STATE 18 STANDARDS FOR LIBRARIES.
- 19 (B) (1) THE COMPTROLLER SHALL WITHHOLD ALL STATE FUNDS FROM A
 20 COUNTY THAT THE STATE LIBRARY BOARD CERTIFIES HAS FAILED TO OPERATE
 21 THE COUNTY LIBRARY SYSTEM CONSISTENT WITH THE STATE STANDARDS FOR
 22 LIBRARIES.
- 23 (2) THE COMPTROLLER SHALL CONTINUE TO WITHHOLD FUNDS
 24 UNDER PARAGRAPH (1) OF THIS SUBSECTION UNTIL THE STATE LIBRARY BOARD
 25 CERTIFIES THAT THE COUNTY HAS ADOPTED A WRITTEN POLICY FOR THE
 26 OPERATION OF THE COUNTY LIBRARY SYSTEM CONSISTENT WITH THE STATE
 27 STANDARDS FOR LIBRARIES.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July

 1, 2024 is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three—fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.