

SB846 Circulation Records_letter of support_CaroCo

Uploaded by: Debby Bennett

Position: FAV



Education, Energy and the Environment Committee
SB846 – Circulation Records - Inspection, Use, or Disclosure Requirement Revision
February 22, 2023
Support

Dear Chair Feldman, Vice Chair Kagan, and Distinguished Committee Members:

SB846 updates the language and standards for protecting library patron circulation records in Statute 23-108 - Confidentiality of Library Records, ensuring individuals' privacy. It also outlines limited exceptions for allowing access to library records. Additionally this revision updates the language and builds in components of the Public Information Act contained in Title 4 of the General Provisions Article, specifically § 4-308 Library records.

This statute is relied upon by Library Directors and Library Boards for guidance to handle requests from government officials, law enforcement officials or the general public to inspect, use, or disclose a circulation record of a public library or any other item, collection, or grouping of information about an individual. The statute allows library staff to require that law enforcement or other interested parties obtain a subpoena in order to see these records.

I respectfully ask for your support of SB846.

Sincerely,

Debby Bennett
Executive Director

info@carolib.org • www.carolib.org

Central Library
100 Market Street
Denton, Maryland 21629
p 410.479.1343 f 410.479.1443

Federalsburg Branch
123 Morris Avenue
Federalsburg, Maryland 21632
p 410.754.8397 f 410.754.3058

North County Branch
101 Cedar Lane • P.O. Box 336
Greensboro, Maryland 21639
p 410.482.2173 f 410.482.2634

SB0846 Librariies - Circulation Records - Inspecti

Uploaded by: Elizabeth Hulett

Position: FAV

Education, Energy, and the Environment Committee
SB0846 – Libraries – Circulation Records – Inspection, Use, or Disclosure Requirement Revision
February 22, 2023

Dear Chair Feldman, and Vice Chair Kagen and Committee members:

I am writing in **Support of SB0846 Libraries – Circulation Records – Inspection, Use, or Disclosure Requirement Revision**

A core principle, fundamental to every library, is privacy. All customers who enter a library do so with the expectation that the books they read and the questions they ask will remain private. SB0846 updates the current statute to more effectively prohibit inspection, use, or disclosure of a circulation record. Under this bill, the inspection, use, or disclosure of a circulation record is permitted only (1) if necessary for the reasonable operation of the library; (2) on written consent of the individual; or (3) by subpoena or court order. This clear language will provide the guidance necessary to library directors and library boards to handle requests from government officials, law enforcement officials, or the general public.

Libraries have been, and continue to be, one of the most trusted government institutions. SB0846 ensures that will continue to be the case while at the same time providing direction when requests for records are made.

Sincerely,



Elizabeth Hulett

Director

Western Maryland Regional Library

SB 846 - Libraries - Circulation Records_Testimony

Uploaded by: Irene Padilla

Position: FAV



BILL: Senate Bill 846 **DATE:** February 22, 2023

SUBJECT: Libraries - Circulation Records - Inspection, Use, or Disclosure Requirement Revision **COMMITTEE:** Education, Energy, and the Environment

SPEAKER: Irene Padilla **POSITION:** Favorable

The Maryland State Library Agency (MSLA) is in support of SB 846 and encourages a favorable review. This bill updates the language in statute 23-108 to more effectively prohibit inspection, use, or disclosure of a circulation record of a public library or any other item, collection, or grouping of information about an individual.

It is meant to ensure that library records remain confidential unless certain standards are met. This revision updates the language and builds in components of the Public Information Act contained in Title 4 of the General Provisions Article, specifically § 4-308 Library records.

This statute is relied upon by Library Directors and Library Boards for guidance to handle requests from government officials, law enforcement officials or the general public to inspect, use, or disclose a circulation record of a public library or any other item, collection, or grouping of information about an individual.

The statute allows library staff to require that law enforcement or other interested parties obtain a subpoena in order to see these records.

§ 4-308. Library records

(a) In general. -- A custodian shall prohibit inspection, use, or disclosure of a circulation record of a public library or any other item, collection, or grouping of information about an individual that:

- (1) Is maintained by a library;
- (2) Contains an individual's name or the identifying number, symbol, or other identifying particular assigned to the individual; and
- (3) Identifies the use a patron makes of that library's materials, services, or facilities.

(b) Permissible inspection. -- A custodian shall allow inspection, use, or disclosure of a circulation record of a public library only:

- (1) In connection with the library's ordinary business; and
- (2) For the purposes for which the record was created.

Support Letter SB 846-Libraries-Circulation Record

Uploaded by: Janet Salazar

Position: FAV



Centreville 121 South Commerce St., Centreville, MD, 21617 | 410-758-0980

Kent Island 200 Library Circle, Stevensville, MD, 21666 | 410-643-8161

Education, Energy and the Environment Committee
SB846 – Libraries - Circulation Records - Inspection, Use, or Disclosure Requirement
Revision
February 22, 2023
Support

Dear Chair Feldman, and Vice Chair Kagen, and Distinguished Committee Members:

I am writing in Support of SB846 Libraries - Circulation Records - Inspection, Use, or Disclosure Requirement Revision.

This bill updates the language in statute 23=108 to more effectively prohibit inspection, use, or disclosure of a circulation record of a public library or any other item, collection, or grouping of information about an individual. It is meant to ensure that library records remain confidential unless certain standards are met. This revision updates the language and builds in components of the Public Information Act contained in Title 4 of the General Provisions Article, specifically § 4-308 Library records.

As a Director of a public library, I, as well as my Board of Trustees, rely on this statute for guidance to handle requests from government officials, law enforcement officials or the general public for access to circulation records of our library customers. This statute greatly protects our library users' confidentiality. The statute allows library staff to require that law enforcement or other interested parties obtain a subpoena in order to see these records.

I respectfully ask for your support of SB846, which will keep library records confidential more effectively.

Thank you for your consideration.

Janet Salazar
Director
Queen Anne's County Library

Prince George's - Support - SB846 - Libraries - C

Uploaded by: Megan Sutherland

Position: FAV



Senate Education, Energy and the Environment Committee
SB 846 Libraries - Circulation Records - Inspection, Use, or
Disclosure Requirement Revision
February 21, 2023
Support

Dear Chairman Feldman, Vice-Chair Kagan, and Distinguished Members of the Committee:

The Prince George's County Memorial Library System (PGCMLS) supports **SB 846 Libraries - Circulation Records - Inspection, Use, or Disclosure Requirement Revision** ensuring that the language in § 23-108 of the Annotated Code of Maryland effectively prohibits inspection, use, or disclosure of a circulation record of a public library or any other item, collection, or grouping of information about an individual as intended.

This revision updates the language and builds in components of the Public Information Act contained in Title 4 of the General Provisions Article, specifically § 4-308 Library records. It is meant to ensure that library records remain confidential unless certain standards are met. As Acting Co-CEOs, we along with the Prince George's County Memorial Library System's Board of Library Trustees, use this guidance to handle requests from government officials, law enforcement officials or the general public to inspect, use, or disclose a circulation record of a public library or any other item, collection, or grouping of information about an individual. The statute allows library staff to require that law enforcement or other interested parties obtain a subpoena in order to see these records.

Maryland's public libraries provide critical information access to residents of all ages. We respectfully ask that you support **SB 846 Libraries - Circulation Records - Inspection, Use, or Disclosure Requirement Revision** to ensure that Maryland's libraries have updated guidelines to protect the confidentiality of our circulation records.

Sincerely,

Michael B. Gannon
Acting Co-CEO
COO for Support Services

Nicholas A. Brown
Acting Co-CEO
COO for Communication and Outreach

SB846 Sponsor Testimony.pdf

Uploaded by: Senator Nancy King

Position: FAV

NANCY J. KING
Legislative District 39
Montgomery County

MAJORITY LEADER

Budget and Taxation Committee

Chair
Education, Business and
Administration Subcommittee



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Nancy.King@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SPONSOR STATEMENT

Senate Bill 846 – Libraries – Circulation Records – Inspection, Use, or Disclosure Requirement Revision

February 22, 2023

Mister Chairman and Members of the Senate Education, Energy and the Environment Committee:

Our state's librarians often handle requests from government officials, law enforcement and the general public who want information about circulation records. Librarians' actions on these requests are guided by Maryland Education Code (§23-108), and General Provision Code Title 4 Freedom of Information Act laws (§4-308).

Senate Bill 846 updates language in the Education Code and builds in components of the Public Information Act. Under this bill, a public, school, college, or university library in the State shall permit inspection, use or disclosure of the circulation of an individual only:

1. If necessary for the reasonable operation of the library;
2. On written consent of the individual; or
3. By subpoena or court order.

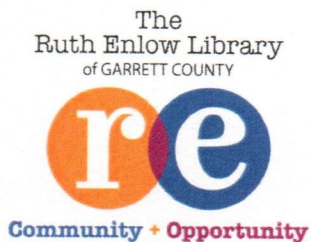
Our library users should be able to select, access, and consider information and ideas without fear of embarrassment or judgement. Senate Bill 846 will tighten up our circulation laws and allow our librarians to stand behind their users' right to privacy and freedom of inquiry.

I respectfully request a favorable report on Senate Bill 846.

SB 846 Testimony - Support.pdf

Uploaded by: Thomas Vose

Position: FAV



Senator Brian J. Feldman, Chair
Senator Cheryl C. Kagan, Vice-Chair
Education, Energy and the Environment Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

February 15, 2023

Dear Senator Feldman, Senator Kagan, and members of the Committee:

I am writing to add my voice to those asking for your support in passing **SB846 - Libraries - Circulation Records - Inspection, Use, or Disclosure Requirement Revision**, in order that public libraries might better ensure the privacy of the circulation records of our patrons.

In the Ruth Enlow Library's statement of values, "Privacy" is listed as a major principle. Indeed, privacy is considered by our parent organization, the American Library Association, as "the bedrock foundation for intellectual freedom." The adjustments proposed to Education Code Section 23-108 will better define the parameters under which patron records may be disclosed outside Library operations - only in the event of subpoena, court order, or with the written consent of the individual in question. The trust of our patrons is invaluable to us, and this bill would help to reinforce that trust in a world in which it is in short supply.

Thank you once again for your ongoing support of Maryland's libraries and the people they serve!

Sincerely,



Thomas Vose
Director, Ruth Enlow Library of Garrett County