

## Committee Substitute for Senate Bill No. 192

An act relating to library records; amending s. 257.261, F.S.; revising provisions relating to confidentiality of public library registration and circulation records to authorize disclosure of information to the parent or guardian of a library patron under age 16, for the purpose of collecting fines or recovering overdue books or other materials; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 257.261, Florida Statutes, is amended to read:

257.261 Library registration and circulation records.—

(1) All registration and circulation records of every public library, except statistical reports of registration and circulation, are confidential and exempt from the provisions of s. 119.07(1) and from s. 24(a) of Art. I of the State Constitution. ~~Except in accordance with proper judicial order, a person may not make known in any manner any information contained in such records, except as provided in this section.~~

(2) As used in this section, the term “registration records” includes any information that a library requires a patron to provide in order to become eligible to borrow books and other materials, and the term “circulation records” includes all information that identifies the patrons who borrow particular books and other materials.

(3)(a) Except in accordance with a proper judicial order, a person may not make known in any manner any information contained in records made confidential and exempt by this section, except as otherwise provided in this section.

(b) A This section does not prohibit any library, or any business operating jointly with the library may, only for the purpose of collecting fines or recovering overdue books, documents, films, or other items or materials owned or otherwise belonging to the library, disclose, from disclosing information made confidential and exempt by this section to the following:

1. The library patron named in the records;
2. In the case of a library patron less than 16 years of age, the parent or guardian of that patron named in the records;
3. Any entity that collects fines on behalf of a library, unless the patron is less than 16 years of age, in which case only information identifying the patron’s parent or guardian may be released;
4. Municipal or county law enforcement officials, unless the patron is 16 years of age, in which case only information identifying the patron’s parent or guardian may be released; or to

~~5. Judicial officials, for the purpose of recovering overdue books, documents, films, or other items or materials owned or otherwise belonging to the library. This section does not prohibit any library, or any business operating jointly with the library, from disclosing information to municipal or county law enforcement officials or to judicial officials or to any business for the purpose of collecting fines or overdue books, documents, films, or other items or materials. In the case of a public library patron under the age of 16, a public library may only release confidential information relating to the parent or guardian of the person under 16.~~

(4) Any person who violates this section commits ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. This act shall take effect July 1, 2003.

Approved by the Governor May 21, 2003.

Filed in Office Secretary of State May 21, 2003.