

HOUSE BILL No. 1787

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-12-2-25.

Synopsis: Access to library services. Prohibits a public library board from charging a fee for issuing a library card to an individual who owns real property in the library district but who is not a resident of the library district. (Current law requires a library board to charge such an individual a fee.) Prohibits a public library board from charging a fee for issuing a library card to a student who is enrolled in a public school located at least in part in the library district but who is not a resident of the library district. (Current law allows a library board to charge such a student a reduced fee or no fee.)

Effective: July 1, 2007.

Ruppel, Smith V, Stevenson, Elrod

January 26, 2007, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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HOUSE BILL No. 1787

A BILL FOR AN ACT to amend the Indiana Code concerning local government

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-12-2-25, AS ADDED BY P.L.1-2005,
2 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 25. (a) The residents or real property taxpayers of the
4 library district taxed for the support of the library may use the
5 facilities and services of the public library without charge for library or
6 related purposes. However, the library board may:
7 (1) fix and collect fees and rental charges; and
8 (2) assess fines, penalties, and damages for the:
9 (A) loss of;
10 (B) injury to; or
11 (C) failure to return;
12 any library property or material.
13 (b) A library board may issue local library cards to:
14 (1) residents of the library district; or
15 (2) Indiana residents who are not residents of the library district;
16 who apply for the cards.
17 (c) Except as provided in ~~subsection~~ **subsections (d) and (e)**, a



1 library board must set and charge a fee for a local library card issued
 2 under subsection (b)(2). The minimum fee that the board may set under
 3 this subsection is the greater of the following:
 4 (1) The library district's operating fund expenditure per capita in
 5 the most recent year for which that information is available in the
 6 Indiana state library's annual "Statistics of Indiana Libraries".
 7 (2) Twenty-five dollars (\$25).
 8 (d) A library board may **not** charge a ~~reduced fee or not charge a fee~~
 9 **under subsection (c)** for a local library card ~~under subsection (c)~~ that
 10 is issued to an Indiana resident who is:
 11 (1) a student enrolled in a public school corporation that is located
 12 at least in part in the library district; and
 13 (2) not a resident of the library district.
 14 **(e) A library board may not charge a fee under subsection (c)**
 15 **for a local library card that is issued to an Indiana resident who:**
 16 **(1) owns real property that is located at least in part in the**
 17 **library district; and**
 18 **(2) is not a resident of the library district.**

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