

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Garcia offered the following:

**Substitute Amendment for Amendment (91843) (with title amendment)**

Remove lines 73-106, and insert:

Section 2. 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

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28 patron to provide in order to become eligible to borrow books  
29 and other materials, and the term "circulation records" includes  
30 all information that identifies the patrons who borrow  
31 particular books and other materials.

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

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

42 1. The library patron named in the records;

43 2. In the case of a library patron less than 16 years of  
44 age, the parent or guardian of that patron named in the records;

45 3. Any entity that collects fines on behalf of a library,  
46 unless the patron is less than 16 years of age, in which case  
47 only information identifying the patron's parent or guardian may  
48 be released;

49 4. Municipal or county law enforcement officials, unless  
50 the patron is 16 years of age, in which case only information  
51 identifying the patron's parent or guardian may be released; or  
52 to

53 5. Judicial officials., for the purpose of recovering  
54 overdue books, documents, films, or other items or materials  
55 owned or otherwise belonging to the library. This section does  
56 not prohibit any library, or any business operating jointly with

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57 ~~the library, from disclosing information to municipal or county~~  
58 ~~law enforcement officials or to judicial officials or to any~~  
59 ~~business for the purpose of collecting fines or overdue books,~~  
60 ~~documents, films, or other items or materials. In the case of a~~  
61 ~~public library patron under the age of 16, a public library may~~  
62 ~~only release confidential information relating to the parent or~~  
63 ~~guardian of the person under 16.~~

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

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69 ===== T I T L E   A M E N D M E N T =====

70       Remove line(s) 19-24, and insert:  
71       appropriations; amending s. 257.261, F.S.; revising  
72       provisions relating to confidentiality of public library  
73       registration and circulation records to authorize  
74       disclosure of information to the parent or guardian of a  
75       library patron under age 16, for the purpose of collecting  
76       fines or recovering overdue books or other materials;  
77       providing for severability; providing an effective date.