

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 643 Library Cooperative Funding
SPONSOR(S): Porras
TIED BILLS: IDEN./SIM. BILLS: CS/SB 726

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Infrastructure & Tourism Appropriations Subcommittee		McAuliffe	Davis
2) Appropriations Committee			

SUMMARY ANALYSIS

The Division of Library and Information Services within the Department of State is responsible for collecting, preserving, and providing public access to the published history of Florida. The Interstate Library Compact provides that state library agencies may conduct joint or cooperative library programs to: meet the needs of state residents which cannot be met independently by local libraries, build upon the strength of local libraries, or augment their resources with regional and statewide services. Encouraging and assuring cooperation among libraries of all types for the development of library services is a core component of library cooperative programs.

Current law authorizes that the administrative unit of a library cooperative may receive a grant of up to \$400,000 from the state for the purpose of sharing library resources. The bill removes this cap.

The bill does not have a fiscal impact on state revenues or expenditures, it simply adjusts the amount of funding an individual cooperative may receive, subject to appropriation.

The bill has an effective date of July 1, 2023.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The Division of Library and Information Services

The Division of Library and Information Services (Division) was created within the Department of State (Department). The Division was designated as the state library administrative agency.¹ The Division is responsible for collecting, preserving, and providing public access to the published history of Florida.²

Allocation of State Funds

State funds allocated to libraries must be expended only for library purposes in the manner prescribed by the Division. The Division must establish operating standards under which libraries and library cooperatives will be eligible to receive state funds.³ The Division is required to certify to the Chief Financial Officer the amount of funds paid to each county, municipality, special district, or special tax district on or before December 1 of each year.⁴

Library Cooperative Programs

The Interstate Library Compact⁵ provides that any two or more state library agencies may undertake and conduct joint or cooperative library programs. The legislative intent of the library cooperatives program is to:

- Meet the needs of state residents which cannot be met independently by local libraries;
- Build upon the strength of local libraries and to augment their resources with regional and statewide services;
- Maintain local autonomy and allow cooperation in regional or statewide activities; and
- Recognize programs of cooperation undertaken by libraries and provide for state financial assistance to encourage library cooperative development.⁶

The administrative unit of a library cooperative is eligible to receive an annual grant (i.e., a library cooperative grant) from the state of not more than \$400,000 for the purpose of sharing library resources. The grant is based upon an annually updated five year, long-range plan. The plan must include a description of how the cooperative will share technology and be submitted to the Division.⁷ A resource-sharing needs assessment must also be completed. The assessment must include:

- A description of the needs;
- Rationale for addressing or not addressing items on the assessment;
- Information on the activities to be completed during the grant cycle; and
- A timeline of all the proposed activities.⁸

¹ Section 257.12, F.S.

² Department of State, *About the State Library of Florida*, <https://dos.myflorida.com/library-archives/about-us/about-the-state-library-of-florida/> (last visited Mar. 7, 2023).

³ Sections 257.15 and 257.41(2), F.S. Section 257.41(2), F.S., further provides that the division must issue a certificate to each library cooperative that meets the standards and rules established.

⁴ Section 257.22, F.S.

⁵ Section 257.28, F.S.

⁶ Section 257.40, F.S.

⁷ Section 257.42, F.S.

⁸ Florida Department of State, Division of Library and Information Services, *Library Cooperative Grant Guidelines*, <https://files.floridados.gov/media/705355/cooperative-grant-guidelines-2022-2023.pdf> (last visited Mar. 7, 2023).

The assessment, coupled with the long-range plan, must determine which resource sharing needs the library cooperative will address during the grant cycle.

Florida's five Library Cooperative Grant Program service areas are shown on the following map:⁹



Grant Awards and Local Cash Match

The total amount available to fund the Library Cooperative Grant Program depends upon the amount of funds appropriated by the Legislature. Currently, \$2 million in recurring general revenue is available annually for library cooperative grants, equating to a maximum grant of \$400,000 for each cooperative. If the Legislature were to appropriate less than the amount requested by the Division, the appropriated funds will be prorated equally among the approved Grantees.¹⁰ The administrative unit of a library cooperative is eligible to receive an annual grant as specified in law and must provide local cash matching funds equal to 10 percent of the grant award. If a library cooperative does not show sufficient funds from local sources to meet the requirement of a 10 percent cash match in its grant application, the Division will reduce the grant to a level that will enable the library cooperative to meet the requirement.¹¹

Grant Agreement

A grant agreement must be signed by both the grant recipient's governing body and the Division. Grant applications that are funded, and any change requests, will become a part of the grant agreement between the Division and the Grantee. Submission of a change request may necessitate an amendment to the grant agreement. Grant funds may not be released until the grant agreement is executed between the Division and the grantee.

Grant Payments

Payments are made upon satisfactory completion of the deliverables specified in the grant agreement. Payment requests and supporting documentation must be submitted on the Department grants system. Any grant compliance issues must be resolved before a grant award agreement may be executed.¹²

⁹ Department of State, *Library Cooperative Grants*, <https://dos.myflorida.com/library-archives/library-development/funding/cooperative/> (last visited Mar. 7, 2023).

¹⁰ Section 257.21, F.S.

¹¹ *Id.*

¹² *Id.*

Effect of the Bill

The bill amends s. 257.42, F.S., to remove the \$400,000 cap on an annual library cooperative grant. If the Legislature appropriates more than the current \$2 million, the department will be able to allocate amounts over the current \$400,000 threshold to each cooperative. The bill also removes the term “grant,” instead referring to the funds provided by the state as appropriations.

B. SECTION DIRECTORY:

Section 1 Amends s. 257.42, F.S., removing the limitation of funding on library cooperative grants.

Section 2 Provides an effective date of July 1, 2023.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill does not change or require any state appropriations. If the Legislature appropriates more than the current \$2 million for grants to library cooperatives, however, each library cooperative may receive a grant in excess of \$400,000.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill replaces the word "grant" with "appropriation" in several places within section 257.42, F.S. An appropriation is a Legislative authorization to spend funds. A grant, by contrast, is a distribution of an appropriation to other entities. Consideration should be given to retaining the term "grant" as used in current law.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES