

2024 Regular Session

HOUSE BILL NO. 848

BY REPRESENTATIVE JACKSON

LIBRARIES: Provides relative to budgets adopted by library boards of control

1 AN ACT

2 To amend and reenact R.S. 25:215(A) and 220 and to enact R.S. 25:220.1, relative to public
3 libraries; to provide relative to budgets adopted by library boards of control; to
4 provide relative to the powers granted to parish governing authorities with respect
5 to such budgets; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 25:215(A) and 220 are hereby amended and reenacted and R.S.
8 25:220.1 is hereby enacted to read as follows:

9 §215. Duties and powers of the board; employment of librarian, assistants, and other
10 employees

11 A.(1) The board of control shall meet and organize immediately after their
12 appointment and annually thereafter and elect a president, vice-president, secretary,
13 and treasurer, whose duties shall be those customarily exercised by such officers.

14 The board of control shall have authority to establish rules and regulations for its
15 own government and that of the library not inconsistent with law; to elect and
16 employ a librarian, and, upon the recommendation and approval of the latter, to
17 employ assistant librarians and other employees and fix their salaries and
18 compensation; provided that no contract of employment shall be made for a longer
19 period than four years nor with any person as head librarian who has not been

1 certified by the State Board of Library Examiners as provided in R.S. 25:222. The
2 head librarian may be appointed or elected secretary of the board of control.

3 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
4 salaries and compensation for the librarian, assistant librarians, and other employees
5 of a public library created by a parish governing authority shall be subject to
6 budgetary and fiscal control exercised by the governing authority pursuant R.S.
7 25:220.1.

8 * * *

9 §220. Payment of maintenance costs and other expenses

10 A. The expenses or costs of maintenance of a public library established
11 under this Part, including the salaries of librarian, assistants, and other employees as
12 well as all other incidental expenses, shall be paid monthly by the governing
13 authority establishing the library, upon the approval of such expenses and
14 maintenance costs by the board of control of such library, out of the funds specially
15 budgeted from the general fund for library purposes and, in default thereof, out of the
16 special taxes voted, levied and collected by the governing authority for the library's
17 support and maintenance. The board of control may delegate to the president or one
18 of its members the duty of approving such monthly expenses and maintenance costs.

19 B. Notwithstanding the provisions of Subsection A of this Section, the
20 expenses and maintenance costs of a public library created by a parish governing
21 authority, including the salaries for the librarian, assistants, and other employees of
22 the library shall be subject to budgetary and fiscal control exercised by the governing
23 authority pursuant R.S. 25:220.1.

24 §220.1. Library board of control; budget

25 The parish governing authority of any parish may exercise budgetary and
26 fiscal control over any public library created by the respective parish governing
27 authority. Budgetary and fiscal control shall include the authority of the parish
28 governing authority to approve, disapprove, or amend a budget adopted by the
29 respective library board of control and shall also include those powers specifically

1 granted to the parish governing authority pursuant to R.S. 33:1415(B). The parish
 2 governing authority shall comply with the provisions of the Local Government
 3 Budget Act, R.S. 39:1301 et seq., in exercising the powers of budgetary and fiscal
 4 control authorized in this Section.

5 Section 2. This Act shall become effective on July 1, 2024; if vetoed by the governor
 6 and subsequently approved by the legislature, this Act shall become effective on July 1,
 7 2024, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 848 Engrossed

2024 Regular Session

Jackson

Abstract: Authorizes parish governing authorities to exercise budgetary and fiscal control over public libraries created by the respective governing authority.

Present law authorizes parish and municipal governing authorities to create, by ordinance, public libraries. Requires parish and municipal governing authorities to create public libraries when petitioned by not less than 25% of the duly qualified property taxpayers of the respective parish or municipality. Further requires parish governing authorities to appoint not less than five nor more than seven citizens of the parish as a board of control and municipal governing authorities to appoint five citizens as a board of control.

Present law authorizes the governing authority to submit a proposition to the property taxpayers to vote a special tax for the maintenance and support of the library and its branches. Requires the governing authority to submit such a proposition to the voters when requested by a petition of not less than 25% of the duly qualified property taxpayers resident.

Proposed law retains present law and additionally authorizes parish governing authorities to exercise budgetary and fiscal control over any library created by the respective governing authority. Provides that budgetary and fiscal control includes the authority to approve, disapprove, or amend a budget adopted by the respective library board of control and also includes powers specifically granted by present law (R.S. 33:1415(B)), which include the authority to approve operating budgets. Requires parish governing authorities to comply with the provisions of the Local Government Budget Act (R.S. 39:1301 et. seq).

Present law requires library boards of control to appoint officers and authorizes the board to establish rules and regulations for its own government and that of the library not inconsistent with law, including the power to elect and employ a librarian and to employ assistant librarians and other employees, subject to approval of the librarian, and to fix their salaries and compensation.

Proposed law retains present law with respect to libraries created by municipal governing authorities, but provides that the salaries and compensation for parish library employees shall be subject to budgetary and fiscal control exercised by the respective parish governing authority pursuant to proposed law.

Present law requires parish and municipal governing authorities to pay, on a monthly basis, the expenses or costs of maintenance of the library, including the salaries of librarian, assistants, and other employees as well as all other incidental expenses, subject to approval by the board of control. Requires that the expenses or costs be paid out of the funds specially budgeted from the general fund for library purposes, or out of the special taxes levied and collected by the governing authority for the library's support and maintenance.

Proposed law retains present law with respect to libraries created by municipal governing authorities, but provides that the expenses and maintenance costs of parish libraries, including the salaries of library employees, shall be subject to budgetary and fiscal control exercised by the respective parish governing authority pursuant to proposed law.

Effective July 1, 2024.

(Amends R.S. 25:215(A) and 220; Adds R.S. 25:220.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Remove provisions that limit the applicability of proposed law to certain parishes, thereby making proposed law applicable to all parishes.