

1 AN ACT concerning libraries.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 (75 ILCS 5/4-7) (from Ch. 81, par. 4-7)

5 Sec. 4-7. Every Each board of library trustees of a  
6 city, incorporated town, village or township shall carry out  
7 the spirit and intent of this Act in establishing, supporting  
8 and maintaining a public library or libraries for providing  
9 library service and, in addition to but without limiting  
10 other powers conferred by this Act, shall have the following  
11 powers:

12 1. To make and adopt such bylaws, rules and  
13 regulations, for their own guidance and for the  
14 government of the library as may be expedient, not  
15 inconsistent with this Act;

16 2. To have the exclusive control of the expenditure  
17 of all moneys collected for the library and deposited to  
18 the credit of the library fund;

19 3. To have the exclusive control of the  
20 construction of any library building and of the  
21 supervision, care and custody of the grounds, rooms or  
22 buildings constructed, leased or set apart for that  
23 purpose;

24 4. To purchase or lease real or personal property,  
25 and to construct an appropriate building or buildings for  
26 the use of a library established hereunder, using, at the  
27 board's option, contracts providing for all or part of  
28 the consideration to be paid through installments at  
29 stated intervals during a certain period not to exceed 20  
30 years with interest on the unpaid balance at any lawful  
31 rate for municipal corporations in this State, except  
32 that contracts for installment purchases of real estate

1 shall provide for not more than 75% of the total  
2 consideration to be repaid by installments, and to refund  
3 at any time any installment contract entered into  
4 pursuant to this paragraph by means of a refunding loan  
5 agreement, which may provide for installment payments of  
6 principal and interest to be made at stated intervals  
7 during a certain period not to exceed 20 years from the  
8 date of such refunding loan agreement, with interest on  
9 the unpaid principal balance at any lawful rate for  
10 municipal corporations in this State, except that no  
11 installment contract or refunding loan agreement for the  
12 same property or construction project may exceed an  
13 aggregate of 20 years;

14 5. To remodel or reconstruct a building erected or  
15 purchased by the board, when such building is not adapted  
16 to its purposes or needs;

17 6. To sell or otherwise dispose of any real or  
18 personal property that it deems no longer necessary or  
19 useful for library purposes, and to lease to others any  
20 real property not immediately useful but for which plans  
21 for ultimate use have been or will be adopted but the  
22 corporate authorities shall have the first right to  
23 purchase or lease except that in the case of the City of  
24 Chicago, this power shall be governed and limited by the  
25 Chicago Public Library Act;

26 7. To appoint and to fix the compensation of a  
27 qualified librarian, who shall have the authority to hire  
28 such other employees as may be necessary, to fix their  
29 compensation, and to remove such appointees, subject to  
30 the approval of the board, but these powers are subject  
31 to Division 1 of Article 10 of the Illinois Municipal  
32 Code in municipalities in which that Division is in  
33 force. The board may also retain counsel and  
34 professional consultants as needed;

1           8. To contract with any public or private  
2 corporation or entity for the purpose of providing or  
3 receiving library service or of performing any and all  
4 other acts necessary and proper to carry out the  
5 responsibilities, the spirit, and the provisions of this  
6 Act. This contractual power includes, but is not limited  
7 to, participating in interstate library compacts and  
8 library systems, contracting to supply library services,  
9 and expending of any federal or State funds made  
10 available to any county, municipality, township or to the  
11 State of Illinois for library purposes. However, if a  
12 contract is for the supply of library services for  
13 residents without a public library established under the  
14 provisions of this Act, the terms of that contract will  
15 recognize the principle of equity or cost of services to  
16 non-residents expressed in this Section of this Act, and  
17 will provide for the assumption by the contracting party  
18 receiving the services of financial responsibility for  
19 the loss of or damage to any library materials provided  
20 to non-residents under the contract;

21           9. To join with the board or boards of any one or  
22 more libraries in this State in maintaining libraries, or  
23 for the maintenance of a common library or common library  
24 services for participants, upon such terms as may be  
25 agreed upon by and between the boards;

26           10. To enter into contracts and to take title to  
27 any property acquired by it for library purposes by the  
28 name and style of "The Board of Library Trustees of the  
29 (city, village, incorporated town or township) of ...."  
30 and by that name to sue and be sued;

31           11. To exclude from the use of the library any  
32 person who wilfully violates the rules prescribed by the  
33 board;

34           12. To extend the privileges and use of the

1 library, including the borrowing of materials on an  
2 individual basis by persons residing outside of the city,  
3 incorporated town, village or township. If the board  
4 exercises this power, the privilege of library use shall  
5 be upon such terms and conditions as the board shall from  
6 time to time by its regulations prescribe, and for such  
7 privileges and use, the board shall charge a nonresident  
8 fee at least equal to the cost paid by residents of the  
9 city, incorporated town, village or township, with the  
10 cost to be determined according to the formula  
11 established by the Illinois State Library. A person  
12 residing outside of a public library service area must  
13 apply for a non-resident library card at the public  
14 library located closest to the person's principal  
15 residence. The nonresident cards shall allow for  
16 borrowing privileges at all participating public  
17 libraries in the regional library system. The  
18 nonresident fee shall not apply to privilege and use  
19 provided under the terms of the library's membership in a  
20 library system operating under the provisions of the  
21 Illinois Library System Act, under the terms of any  
22 reciprocal agreement with a public or private corporation  
23 or entity providing a library service, or to a  
24 nonresident who as an individual or as a partner,  
25 principal stockholder, or other joint owner owns taxable  
26 property or is a senior administrative officer of a  
27 firm, business, or other corporation owning taxable  
28 property within the city, incorporated town, village or  
29 township upon the presentation of the most recent tax  
30 bill upon that taxable property, provided that the  
31 privilege and use of the library is extended to only one  
32 such nonresident for each parcel of such taxable  
33 property. Nothing in this item 12 requires any public  
34 library to participate in the non-resident card

1 reciprocal borrowing program of a regional library system  
2 as provided for in this Section;

3 13. To exercise the power of eminent domain subject  
4 to the prior approval of the corporate authorities under  
5 Sections 5-1 and 5-2 of this Act;

6 14. To join the public library as a member and to  
7 join the library trustees as members in the Illinois  
8 Library Association and the American Library Association,  
9 non-profit, non-political, 501(c)(3) associations, as  
10 designated by the federal Internal Revenue Service,  
11 having the purpose of library development and  
12 librarianship; to provide for the payment of annual  
13 membership dues, fees and assessments and act by, through  
14 and in the name of such instrumentality by providing and  
15 disseminating information and research services,  
16 employing personnel and doing any and all other acts for  
17 the purpose of improving library development;

18 15. To invest funds pursuant to the Public Funds  
19 Investment Act;

20 16. To accumulate and set apart as reserve funds  
21 portions of the unexpended balances of the proceeds  
22 received annually from taxes or other sources, for the  
23 purpose of providing self-insurance against liabilities  
24 relating to the public library.

25 (Source: P.A. 91-357, eff. 7-29-99; 92-166, eff. 1-1-02.)

26 (75 ILCS 16/30-55.60)

27 Sec. 30-55.60. Use of library by nonresidents. The board  
28 may extend the privileges and use of the library, including  
29 the borrowing of materials on an individual basis by persons  
30 residing outside of the district. If the board exercises  
31 this power, the privilege of library use shall be upon terms  
32 and conditions prescribed by the board in its regulations.  
33 The board shall charge a nonresident fee for the privileges

1 and use of the library at least equal to the cost paid by  
2 residents of the district, with the cost to be determined  
3 according to the formula established by the Illinois State  
4 Library. A person residing outside of a public library  
5 service area must apply for a non-resident library card at  
6 the public library closest to the person's principal  
7 residence. The nonresident cards shall allow for borrowing  
8 privileges at all participating public libraries in the  
9 regional library system. The nonresident fee shall not apply  
10 to any of the following:

11 (1) Privileges and use provided (i) under the terms  
12 of the district's membership in a library system  
13 operating under the provisions of the Illinois Library  
14 System Act or (ii) under the terms of any reciprocal  
15 agreement with a public or private corporation or entity  
16 providing a library service.

17 (2) Residents of an area in which the library is  
18 conducting a program for the purpose of encouraging the  
19 inclusion of the area in the library district.

20 (3) A nonresident who, as an individual or as a  
21 partner, principal stockholder, or other joint owner,  
22 owns taxable property or is a senior administrative  
23 officer of a firm, business, or other corporation owning  
24 taxable property within the district, upon presentation  
25 of the most recent tax bill upon that taxable property,  
26 provided that the privileges and use of the library is  
27 extended to only one such nonresident for each parcel of  
28 taxable property.

29 Nothing in this Section requires any public library to  
30 participate in the non-resident card reciprocal borrowing  
31 program of a regional library system as provided for in this  
32 Section.

33 (Source: P.A. 92-166, eff. 1-1-02.)

