



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4092

Introduced 5/25/2021, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

15 ILCS 320/3
15 ILCS 320/7

from Ch. 128, par. 103
from Ch. 128, par. 107

Amends the State Library Act. Provides that it is the policy of the State of Illinois to provide direct library services, particularly for electronic or digital resources, for all Illinois residents on a State level, as well as to promote, support, implement, and maintain library services for all State officers, offices, the General Assembly, the judiciary, and all State agencies, bodies, and commissions. Adds to the purposes of the State Library concerning the availability of digital or electronic resources and the availability of direct library services to residents served by local libraries with lower per capita budgets than the State average and in consideration of diversity, equity, inclusion, and accessibility of such residents. Makes other changes. Effective January 1, 2023.

LRB102 18591 RJF 26909 b

1 AN ACT concerning State government.

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

4 Section 5. The State Library Act is amended by changing
5 Sections 3 and 7 as follows:

6 (15 ILCS 320/3) (from Ch. 128, par. 103)

7 Sec. 3. Declaration of policy-State Library.

8 It is the policy of the State of Illinois to provide direct
9 library services, particularly for electronic or digital
10 resources, for all Illinois residents on a State level, as
11 well as to promote, support, implement, and maintain library
12 services for all State officers, offices, the General
13 Assembly, the judiciary, and all State agencies, bodies, and
14 commissions. Direct library services, particularly for
15 electronic or digital resources, will enhance the cultural,
16 educational, and economic development of Illinois residents
17 and will help bring greater equity to residents served by
18 local libraries with fewer resources that cannot procure as
19 large of a collection as local libraries with greater
20 resources. ~~It is the policy of the State of Illinois, to~~
21 ~~promote, support, implement and maintain library services on a~~
22 ~~State level for all State Officers, Offices, the General~~
23 ~~Assembly, the Judiciary and all State agencies, bodies and~~

1 ~~commissions, and to promote, support and implement library~~
2 ~~services on a statewide basis. It is the responsibility of~~
3 ~~government at all levels to promote, support, implement and~~
4 ~~maintain library services for the cultural, educational and~~
5 ~~economic development of the State of Illinois and of the~~
6 ~~inhabitants of the State of Illinois.~~

7 (Source: P.A. 77-1690.)

8 (15 ILCS 320/7) (from Ch. 128, par. 107)

9 Sec. 7. Purposes of the State Library. The Illinois State
10 Library shall:

11 (a) Maintain a library for officials and employees of the
12 State, consisting of informational material and resources
13 pertaining to the phases of their work, and serve as the
14 State's library by extending its resources to citizens of
15 Illinois.

16 (b) Maintain and provide research library services for all
17 State agencies.

18 (c) Administer the Illinois Library System Act.

19 (d) Promote and administer the law relating to Interstate
20 Library Compacts.

21 (e) Enter into interagency agreements, pursuant to the
22 Intergovernmental Cooperation Act, including agreements to
23 promote access to information by Illinois students and the
24 general public.

25 (f) Promote and develop a cooperative library network

1 operating regionally or statewide for providing effective
2 coordination of the library resources of public, academic,
3 school, and special libraries.

4 (g) Administer grants of federal library funds pursuant to
5 federal law and requirements.

6 (h) Assist libraries in their plans for library services,
7 including funding the State-funded library systems for the
8 purpose of local library development and networking.

9 (i) Assist local library groups in developing programs by
10 which library services can be established and enhanced in
11 areas without those services.

12 (j) Be a clearing house, in an advisory capacity, for
13 questions and problems pertaining to the administration and
14 functioning of libraries in Illinois and to publish booklets
15 and pamphlets to implement this service.

16 (k) Seek the opinion of the Attorney General for legal
17 questions pertaining to public libraries and their function as
18 governmental agencies.

19 (l) Contract with any other library or library agency to
20 carry out the purposes of the State Library. If any such
21 contract requires payments by user libraries for goods and
22 services, the State Library may distribute billings from
23 contractors to applicable user libraries and may receive and
24 distribute payments from user libraries to contractors. There
25 is hereby created in the State Treasury the Library Trust
26 Fund, into which all moneys payable to contractors which are

1 received from user libraries under this paragraph (l) shall be
2 paid. The Treasurer shall pay such funds to contractors at the
3 direction of the State Librarian.

4 (m) Compile, preserve and publish public library
5 statistical information.

6 (n) Compile the annual report of local public libraries
7 and library systems submitted to the State Librarian pursuant
8 to law.

9 (o) Conduct and arrange for library training programs for
10 library personnel, library directors and others involved in
11 library services.

12 (p) Prepare an annual report for each fiscal year.

13 (q) Make available to the public, by means of access by way
14 of the largest nonproprietary nonprofit cooperative public
15 computer network, certain records of State agencies.

16 As used in this subdivision (q), "State agencies" means
17 all officers, boards, commissions and agencies created by the
18 Constitution; all officers, departments, boards, commissions,
19 agencies, institutions, authorities, universities, and bodies
20 politic and corporate of the State; administrative units or
21 corporate outgrowths of the State government which are created
22 by or pursuant to statute, other than units of local
23 government and their officers, school districts and boards of
24 election commissioners; and all administrative units and
25 corporate outgrowths of the above and as may be created by
26 executive order of the Governor; however, "State agencies"

1 does not include any agency, officer, or other entity of the
2 judicial or legislative branch.

3 As used in this subdivision (q), "records" means public
4 records, as defined in the Freedom of Information Act, that
5 are not exempt from inspection and copying under that Act.

6 The State Librarian and each appropriate State agency
7 shall specify the types and categories of records that shall
8 be accessible through the public computer network and the
9 types and categories of records that shall be inaccessible.
10 Records currently held by a State agency and documents that
11 are required to be provided to the Illinois State Library in
12 accordance with Section 21 shall be provided to the Illinois
13 State Library in an appropriate electronic format. The cost to
14 each State agency of making records accessible through the
15 public computer network or of providing records in an
16 appropriate electronic format shall be considered in making
17 determinations regarding accessibility.

18 As soon as possible and no later than 18 months after the
19 effective date of this amendatory Act of 1995, the types and
20 categories of information, specified by the State Librarian
21 and each appropriate State agency, shall be made available to
22 the public by means of access by way of the largest
23 nonproprietary, nonprofit cooperative public computer network.
24 The information shall be made available in one or more formats
25 and by one or more means in order to provide the greatest
26 feasible access to the general public in this State. Any

1 person who accesses the information may access all or any part
2 of the information. The information may also be made available
3 by any other means of access that would facilitate public
4 access to the information. The information shall be made
5 available in the shortest feasible time after it is publicly
6 available.

7 Any documentation that describes the electronic digital
8 formats of the information shall be made available by means of
9 access by way of the same public computer network.

10 Personal information concerning a person who accesses the
11 information may be maintained only for the purpose of
12 providing service to the person.

13 The electronic public access provided by way of the public
14 computer network shall be in addition to other electronic or
15 print distribution of the information.

16 No action taken under this subdivision (q) shall be deemed
17 to alter or relinquish any copyright or other proprietary
18 interest or entitlement of the State of Illinois relating to
19 any of the information made available under this subdivision
20 (q).

21 (r) Coordinate literacy programs for the Secretary of
22 State.

23 (s) Provide coordination of statewide preservation
24 planning, act as a focal point for preservation advocacy,
25 assess statewide needs and establish specific programs to meet
26 those needs, and manage state funds appropriated for

1 preservation work relating to the preservation of the library
2 and archival resources of Illinois.

3 (t) Create and maintain a State Government Report
4 Distribution Center for the General Assembly. The Center shall
5 receive all reports in all formats available required by law
6 or resolution to be filed with the General Assembly and shall
7 furnish copies of such reports on the same day on which the
8 report is filed with the Clerk of the House of Representatives
9 and the Secretary of the Senate, as required by the General
10 Assembly Organization Act, without charge to members of the
11 General Assembly upon request. This paragraph does not affect
12 the requirements of Section 21 of this Act relating to the
13 deposit of State publications with the State library.

14 (u) Make available to any Illinois resident with a
15 driver's license, State identification, or public school,
16 college, or university identification access to the digital or
17 electronic resources in the library's collection. These
18 existing identification cards shall be considered library
19 cards for purposes of issuing access to digital or electronic
20 resources in the library's collection.

21 (v) The library shall negotiate with providers of digital
22 or electronic resources by licensing or procuring as many
23 resources as possible in large quantities for direct service
24 to Illinois residents. The library shall offer to purchase or
25 procure electronic or digital resources on behalf of public
26 school and university libraries to secure the best possible

1 price in order to support library systems in Illinois.

2 (w) The library shall make a special effort to offer
3 direct library services to residents served by local libraries
4 with lower per capita budgets than the State average and
5 consider diversity, equity, inclusion, and accessibility as
6 core values in offering direct library services to Illinois
7 residents.

8 (Source: P.A. 91-507, eff. 8-13-99; 92-16, eff. 6-28-01;
9 92-617, eff. 1-1-03.)

10 Section 99. Effective date. This Act takes effect January
11 1, 2023.