

1 AN ACT concerning libraries.

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

4 Section 5. The Illinois Library System Act is amended by  
5 changing Sections 2, 4, 5, 6, 8, and 8.1 as follows:

6 (75 ILCS 10/2) (from Ch. 81, par. 112)

7 Sec. 2. Definitions. As used in this Act:

8 "Library system" means any one of the following:

9 (1) A multitype library system serving (i) a  
10 minimum of 150,000 inhabitants or (ii) an area of not  
11 less than 4,000 square miles and serving a minimum 10 or  
12 more public libraries, elementary and secondary school  
13 libraries, institutions of higher education libraries,  
14 and special libraries.

15 (2) A public library system consisting of a single  
16 public library serving a city of over 500,000 population.

17 (3) A multitype library system that serves the same  
18 territory as a library system under subparagraph (2) of  
19 this definition that provides service to elementary and  
20 secondary school libraries, institutions of higher  
21 education libraries, and special libraries.

22 "Special library" includes, but is not limited to,  
23 libraries with unique collections or specialized services  
24 recognized by the State Library.

25 The--term--"library--system"--as--used--in--this--Act--means--an  
26 organization--of--one--or--more--tax--supported--public--libraries  
27 serving--a--minimum--of--150,000--inhabitants--or--an--area--of--not  
28 less--than--4,000--square--miles,--or--of--a--single--public--library  
29 serving--a--city--of--over--500,000--population,--which--organization  
30 is--or--has--been--created--as--a--library--system--in--accordance--with  
31 this--Act.--Such--organization--may--also--include,--subject--to--the

1 provisions---of---this---Act,--libraries--other--than--public  
2 libraries.-A--library--system--may--consist--of--any--of--the  
3 following:

4 a)--A--cooperative--public--library-system-in-which-10-or  
5 more-public-libraries--enter--into--a--written--agreement--to  
6 provide-any-or-all-library-services-on-a-cooperative-basis.

7 b)--A--public-library-system-consisting-of-a-single-public  
8 library-serving-a-city-of-over-500,000-population.

9 c)--A--multitype--library--system-in-which-(1)-10-or-more  
10 public-libraries-and-in-addition-other-types-of-libraries,--or  
11 (2)-a-single-public-library-and-in-addition--other--types--of  
12 libraries--serving--a--city-of-over-500,000-population,--enter  
13 into-an-agreement-to-provide-any-or-all-library-services-on-a  
14 cooperative-basis.

15 (Source: P.A. 83-411.)

16 (75 ILCS 10/4) (from Ch. 81, par. 114)

17 Sec. 4. (a) A cooperative-public--library--system--or--a  
18 public library system shall be established in the following  
19 manner: The formation of a library system of 10 or more  
20 public libraries or of a public library serving a city of  
21 over 500,000 population shall first be approved by the boards  
22 of directors of the participating public library or  
23 libraries, followed by the election or selection of a board  
24 of directors for the library system as provided in Sections 5  
25 and 6 of this Act. Subject to rules adopted by the State  
26 Librarian, an application for the formation of a cooperative  
27 public-library-system-or-a-public library system shall then  
28 be submitted by the board of directors of the system to the  
29 State Librarian, together with a plan of service describing  
30 the specific purposes for which the system is formed and the  
31 means by which such purposes are to be accomplished. If it  
32 shall appear to the satisfaction of the State Librarian that  
33 the establishment of a cooperative-public-library-system-or-a

1 public library system will result in improved library  
2 service, he shall approve the application.

3       The--conversion-of-a-cooperative-public-library-system-or  
4 a-public-library-system-to-a-multitype-library--system--shall  
5 be--accomplished--in-the-following-manner:-when-a-majority-of  
6 the-board-of-directors-of-a-cooperative-public-library-system  
7 or-a-public-library-system-approves-conversion-to-a-multitype  
8 library-system, and when that action has been approved--by--a  
9 majority--of--the--boards--of--the-public-library-members-and  
10 these-public-libraries-represent-a-majority-of-the-population  
11 served-by-the-public-library-members,--the--system--board--of  
12 directors-shall-submit-an-application-to-the-State-Librarian.  
13 The--application--shall--include--the-proposed-bylaws-for-the  
14 multitype--system--and--a--plan--of--service--describing--the  
15 specific-purposes-to-be-accomplished-by-the-multitype-system.  
16 If-it-shall-appear-to-the-satisfaction-of-the-State-Librarian  
17 that-the-conversion-of-a-cooperative-public-library-system-or  
18 a-public-library--system--will--result--in--improved--library  
19 service,--he--shall--approve--the-application.--The-effective  
20 date-of-the-multitype-library-system-shall-be-the-date-of-the  
21 approval-of-the-appropriation--for--the--fiscal--year,--which  
22 funding--for--the--newly-approved-system-has-been-included-as  
23 provided-in-Section-8-of-this--Act.---Upon--conversion--of--a  
24 cooperative--public-library-system-or-a-public-library-system  
25 to--a--multitype--library--system,--the--boundaries--of--the  
26 multitype--system--shall--be--the--same--as--the--preexisting  
27 cooperative--public--library-system-or-public-library-system.  
28 The State Librarian shall provide that all areas of the State  
29 fall within the boundaries of a library system. The State  
30 Librarian shall have the right to grant provisional status  
31 for a period of not more than 3 years from the date of  
32 submission of the application for creation of a the  
33 conversion-of-a-cooperative-public library system or-a-public  
34 library-system-to-a--multitype--library--system if, in his

1 judgment, provisions in the bylaws or plan of service of the  
2 proposed multitype library system fail to meet the criteria  
3 established in this Act or in the rules and regulations  
4 authorized by this Act. If the deficiencies noted by the  
5 State Librarian in granting provisional status are not  
6 corrected within the 3 year period, the provisional multitype  
7 system status of the system shall be rescinded and the assets  
8 of the provisional multitype system shall be liquidated as  
9 provided for in Section 13 or the provisional system shall  
10 submit a plan for consolidation with an adjoining existing  
11 system revert---to---the---preexisting---and---reestablished  
12 cooperative--public--library-system-or-public-library-system.  
13 In such case the State Librarian shall assume fiscal and  
14 administrative responsibility for maintenance of services  
15 until a library system status is reestablished or a  
16 determination is made by the State Librarian as to the most  
17 efficient means of delivering service to the libraries of the  
18 system.

19 Upon the finding of the State Librarian that an existing  
20 library system has failed to meet the criteria established by  
21 this Act or the rules authorized by this Act, the State  
22 Librarian shall give due notice to the library system board  
23 to respond to and address the finding. Upon the failure of  
24 the library system board to adequately respond to the  
25 finding, the State Librarian may assume fiscal and  
26 administrative responsibility for the library system. Upon  
27 taking such action, the State Librarian may hold a public  
28 hearing on the action. The process for these actions shall be  
29 prescribed by administrative rule.

30 (b) A multitype library system as defined in  
31 subparagraph (3) of the definition of "library system" in  
32 Section 2 that, prior to the effective date of this  
33 amendatory Act of the 93rd General Assembly, was organized  
34 and provided service as a multitype library system that

1 served a public library in a city with a population of  
 2 500,000 or more need not reorganize for formation as a new  
 3 library system but may, at the discretion of the State  
 4 Librarian, continue as a library system subject to conditions  
 5 and restrictions of this Act and any stipulations of the  
 6 State Librarian.

7 (Source: P.A. 83-411.)

8 (75 ILCS 10/5) (from Ch. 81, par. 115)

9 Sec. 5. Each ~~cooperative--public~~ library system or  
 10 ~~multitype---library---system~~ created by ~~conversion--of--a~~  
 11 ~~cooperative-public-library-system~~ as provided in Section 4 of  
 12 this Act shall be governed by a board of directors numbering  
 13 at least 5 and no more than 15 persons, except as required by  
 14 Section 6 for library systems in cities with a population of  
 15 500,000 or more. ~~In--cooperative-public--library--systems--the~~  
 16 ~~members--shall--be--elected--or--selected--from--the--governing~~  
 17 ~~boards--of--the--participating--public--libraries.~~ ~~In--multitype~~  
 18 ~~library--systems~~ The board shall be representative of the  
 19 variety of library interests in the system, and at least a  
 20 majority shall be elected or selected from the governing  
 21 boards of the member public libraries, with not more than one  
 22 director representing a single member library. For library  
 23 systems as defined in subparagraph (3) of the definition of  
 24 "library system" in Section 2, the board members shall be  
 25 representative of the types of libraries that library system  
 26 serves. The number of directors, the manner of election or  
 27 selection, the term of office and the provision for filling  
 28 vacancies shall be determined by the system governing board  
 29 except that all board members must be eligible electors in  
 30 the geographical area of the system. No director of any  
 31 library system, however, shall be permitted to serve for more  
 32 than a total of 6 years unless 2 years have elapsed since his  
 33 sixth year of service.

1           The board of directors shall elect a president, secretary  
 2           and treasurer. Before entering upon his duties, the treasurer  
 3           shall be required to give a bond in an amount to be approved  
 4           by the board, but in no case shall such amount be less than  
 5           50% of the system's area and per capita grant for the  
 6           previous year, conditioned that he will safely keep and pay  
 7           over upon the order of such board all funds received and held  
 8           by him for the library system. The funds of the library  
 9           system shall be deposited in a bank or savings and loan  
 10          association designated by the board of directors and shall be  
 11          expended only under the direction of such board upon properly  
 12          authenticated vouchers.

13          No bank or savings and loan association shall receive  
 14          public funds as permitted by this Section, unless it has  
 15          complied with the requirements established pursuant to  
 16          Section 6 of the Public Funds Investment Act.

17          The members of the board of directors of the library  
 18          system shall serve without compensation but their actual and  
 19          necessary expenses shall be a proper charge against the  
 20          library fund.

21          (Source: P.A. 91-357, eff. 7-29-99.)

22                 (75 ILCS 10/6) (from Ch. 81, par. 116)

23          Sec. 6. The board and officers of the public library  
 24          served by the library system defined in subparagraph (2) of  
 25          the definition of "library system" in Section 2 shall  
 26          administer that library system. That public library system  
 27          shall annually submit a plan of service to be approved by the  
 28          State Librarian. The plan of service shall include the  
 29          provision of specified services for all types of libraries  
 30          operating within the municipal territory of the system  
 31          subject to approval or revision by the State Librarian. The  
 32          multitype services shall be provided in consultation with the  
 33          multitype library system defined in subparagraph (3) of the

1 definition of "library system" in Section 2 serving the same  
2 municipal territory. A public library system as provided in  
3 paragraph "b" of Section 2 of this Act shall be governed by  
4 the same board and officers that govern the existing public  
5 library of that area. The funds received from the state shall  
6 be expended only under the direction of such board upon  
7 properly authenticated vouchers. When such public library  
8 system becomes a multitype library system under the  
9 provisions of this Act, the board shall consist of at least  
10 12 and no more than 15 persons representing the variety of  
11 library interests in the system. The number of directors,  
12 the manner of election or selection, the term of office and  
13 the provision for filling vacancies shall be determined by  
14 the bylaws of the multitype system.

15 The board shall elect a president and a secretary, shall  
16 designate a treasurer, and may designate such other officers  
17 as the board may deem necessary. Before entering upon his  
18 duties, the treasurer shall be required to give a bond in an  
19 amount to be approved by the board, but in no case less than  
20 50% of the system's area and per capita grant for the  
21 previous year, conditioned that he will safely keep and pay  
22 over upon the order of such board all funds received and held  
23 by him for the library system. The funds of the library  
24 system shall be deposited in a bank designated by the board  
25 of directors and shall be expended only under the direction  
26 of such board upon properly authenticated vouchers. The  
27 members of the board shall serve without compensation but  
28 their actual and necessary expenses shall be a proper charge  
29 against the library fund.

30 (Source: P.A. 83-411.)

31 (75 ILCS 10/8) (from Ch. 81, par. 118)

32 Sec. 8. State grants.

33 (a) There shall be a program of State grants within the

1 limitations of funds appropriated by the Illinois General  
2 Assembly together with other funds made available by the  
3 federal government or other sources for this purpose. This  
4 program of State grants shall be administered by the State  
5 Librarian in accordance with rules and regulations as  
6 provided in Section 3 of this Act and shall include the  
7 following: (i) annual equalization grants; (ii) Library  
8 System grants; (iii) ~~annual-grants-to-Research-and--Reference~~  
9 ~~Centers;--(iv)~~ per capita grants to public libraries; and (iv)  
10 ~~(v)~~ planning and construction grants to public libraries and  
11 library systems. Libraries, in order to be eligible for  
12 grants under this Section, must be members of a library  
13 system.

14 (b) An annual equalization grant shall be made to all  
15 public libraries for which the corporate authorities levy a  
16 tax for library purposes at a rate not less than .13% of the  
17 value of all the taxable property as equalized and assessed  
18 by the Department of Revenue if the amount of tax revenue  
19 obtained from a rate of .13% produces less than \$4.25 per  
20 capita. In that case, the State Librarian is authorized to  
21 make an equalization grant equivalent to the difference  
22 between the amount obtained from a rate of .13% and an annual  
23 income of \$4.25 per capita. If a library receiving an  
24 equalization grant reduces its tax levy below the amount  
25 levied at the time the original application is approved, it  
26 shall be ineligible to receive further equalization grants.

27 If a library is subject to the Property Tax Extension  
28 Limitation Law in the Property Tax Code and its tax levy for  
29 library purposes has been lowered to a rate of less than  
30 .13%, the library will qualify for this grant if the library  
31 levied a tax for library purposes that met the requirements  
32 for this grant in the previous year and if the tax levied for  
33 library purposes in the current year produces tax revenue for  
34 the library that is an increase over the previous year's



1 extension of 5% or the percentage increase in the Consumer  
 2 Price Index, whichever is less, and the tax revenue produced  
 3 by this levy is less than \$4.25 per capita. In this case,  
 4 the State Librarian is authorized to make an equalization  
 5 grant equivalent to the difference between the amount of tax  
 6 revenue obtained from the current levy and an annual income  
 7 of \$4.25 per capita. If a library receiving an equalization  
 8 grant reduces its tax levy below the amount levied at the  
 9 time the original application is approved, it shall be  
 10 ineligible to receive further equalization grants.

11 (c) Annual Library System grants shall be made, upon  
 12 application, to each library system approved by the State  
 13 Librarian on the following basis:

14 ~~(0.5) The distribution of annual library system~~  
 15 ~~grants, from all fund sources for this purpose, at the~~  
 16 ~~rate of 90% for distribution by means of area and per~~  
 17 ~~capita served, as provided in paragraph (1) of this~~  
 18 ~~subsection. Additionally, the remaining 10% of funds~~  
 19 ~~available for annual library system grants shall be made~~  
 20 ~~available for distribution based upon approved~~  
 21 ~~application, by the State Librarian, for the provision of~~  
 22 ~~services to member libraries and for technological~~  
 23 ~~developments.~~

24 (1) For ~~cooperative public library systems, public~~  
 25 ~~library systems, or multitype library systems,~~ the sum of  
 26 \$1.46 per capita of the population of the area served  
 27 plus the sum of \$50.75 per square mile or fraction  
 28 thereof of the area served except as provided in  
 29 paragraph (4) of this subsection.

30 (2) If the amounts appropriated for grants are is  
 31 different from the amount provided for in paragraph (1)  
 32 of this subsection, the area and per capita funding shall  
 33 be proportionately reduced or increased accordingly.  
 34 ~~Remaining funding comprising 10% of the annual library~~

1 systems-grants-shall--be--distributed--upon--approval--of  
 2 application--for--initiatives--of-library-development-and  
 3 teehnological--innovations---according---to---rules---and  
 4 regulations---promulgated---by--the--State--Librarian--on  
 5 eriteria-for-awarding-the-grants-

6 (3) For multitype library systems, additional funds  
 7 may be appropriated. The appropriation shall be  
 8 distributed on the same proportional per capita and per  
 9 square mile basis as provided in paragraphs paragraph (1)  
 10 and (4) of this subsection.

11 (4) Per capita and area funding for a multitype  
 12 library system as defined in subparagraph (3) of the  
 13 definition of "library system" in Section 2 and a public  
 14 library system in cities with a population of 500,000 or  
 15 more as defined in subparagraph (2) of the definition of  
 16 "library system" in Section 2 shall be apportioned with  
 17 25% of the funding granted to the multitype library  
 18 system and 75% of the funding granted to the public  
 19 library system.

20 (d) The "area served" for the purposes of this Act means  
 21 the area that lies within the geographic boundaries of the  
 22 library system as approved by the State Librarian. In  
 23 determining the population of the area served by the library  
 24 system, the Illinois State Library shall use the latest  
 25 federal census for the political subdivisions in the area  
 26 served.

27 (e) In order to be eligible for a grant under this  
 28 Section, the corporate authorities, instead of a tax levy at  
 29 a particular rate, may provide ~~from--a--source--other--than~~  
 30 ~~federal--revenue--sharing~~ an amount equivalent to the amount  
 31 produced by that levy.

32 (Source: P.A. 89-188, eff. 7-19-95; 90-169, eff. 7-23-97.)

33 (75 ILCS 10/8.1) (from Ch. 81, par. 118.1)

1           Sec. 8.1. The State Librarian shall make grants annually  
2 under this Section to all qualified public libraries in the  
3 State from funds appropriated by the General Assembly. Such  
4 grants shall be in the amount of up to \$1.25 per capita for  
5 the population of the area served by the respective public  
6 library and, in addition, the amount of up to \$0.19 per  
7 capita to libraries serving populations over 500,000 under  
8 the Illinois Major Urban Library Program. If the moneys  
9 appropriated for grants under this Section are not  
10 sufficient the State Librarian shall reduce the per capita  
11 amount of the grants so that the qualifying public libraries  
12 receive the same amount per capita.

13           To be eligible for grants under this Section, a public  
14 library must:

15           (1) Provide, as determined by the State Librarian,  
16 library services which either meet or show progress  
17 toward meeting the Illinois library standards, as most  
18 recently adopted by the Illinois Library Association.

19           (2) Be a public library for which is levied a tax  
20 for library purposes at a rate not less than .13% or a  
21 county library for which is levied a tax for library  
22 purposes at a rate not less than .07%. If a library is  
23 subject to the Property Tax Extension Limitation Law in  
24 the Property Tax Code and its tax levy for library  
25 purposes has been lowered to a rate of less than .13%,  
26 this requirement will be waived if the library qualified  
27 for this grant in the previous year and if the tax levied  
28 for library purposes in the current year produces tax  
29 revenue for library purposes that is an increase over the  
30 previous year's extension of 5% or the percentage  
31 increase in the Consumer Price Index, whichever is less.

32           Any other language in this Section to the contrary  
33 notwithstanding, grants under this Section 8.1 shall be made  
34 only upon application of the public library concerned, which

1 applications shall be entirely voluntary and within the sole  
2 discretion of the public library concerned.

3       Notwithstanding the first paragraph of this Section,  
4 during fiscal year 1978, the amount of grants under this  
5 Section shall be \$0.25 per capita, during fiscal year 1979  
6 the amount of grants under this Section shall be \$0.50 per  
7 capita, during fiscal year 1980 the amount of grants under  
8 this Section shall be \$0.75 per capita, during fiscal year  
9 1981 through fiscal year 1993 the amount of grants shall be  
10 \$1 per capita, and during fiscal year 1994 and thereafter the  
11 amount of public library grants shall be \$1.25 per capita,  
12 and the amount of the Major Urban Library Program grants  
13 shall be \$0.19 per capita. If the monies appropriated for  
14 these grants are not sufficient, the State Librarian shall  
15 reduce the per capita amount of the grants proportionately.

16       In order to be eligible for a grant under this Section,  
17 the corporate authorities, in lieu of a tax levy at a  
18 particular rate, may provide funds from other sources, an  
19 amount equivalent to the amount to be produced by that levy.

20 (Source: P.A. 90-169, eff. 7-23-97; 91-357, eff. 7-29-99.)

21       Section 99. Effective date. This Act takes effect upon  
22 becoming law.