

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.