

ENROLLED SENATE  
BILL NO. 746

BY: LONG (Ed), ROBINSON and  
HERBERT of the SENATE

and

WIDENER and BOYD of the  
HOUSE

AN ACT RELATING TO CITIES AND TOWNS; AMENDING 11 O.S. 1991, SECTIONS 31-102, 31-104, 31-106, AND 31-107, WHICH RELATE TO LIBRARY BOARDS OF DIRECTORS, POWERS AND DUTIES OF LIBRARY BOARDS OF DIRECTORS, LIBRARY PENALTIES AND LIBRARY DONATIONS; MODIFYING MEMBERSHIP QUALIFICATIONS AND TERMS OF SUCH DIRECTORS; AUTHORIZING APPOINTMENT AND REMOVAL OF LIBRARIANS; MODIFYING AUTHORIZATION TO IMPOSE CERTAIN PENALTIES; MODIFYING DESCRIPTION OF OFFENSES; MODIFYING PURPOSE AND USE OF LIBRARY DONATIONS; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 1991, Section 31-102, is amended to read as follows:

Section 31-102. The municipal governing body may, in its discretion and by ordinance, place the management and control of the public library under a library board of directors. The library board shall consist of at least five (5) but not more than nine directors, chosen by the municipal governing body from the citizens of the municipality with reference to their fitness for such office. No director shall receive compensation as such. ~~The directors of~~ Directors appointed to the library board shall hold office for a term of ~~five (5)~~ three (3) years from the first day of May following their appointment, and their terms shall be staggered. ~~At the first regular meeting of the board, the directors shall cast lots for respective terms of one (1) year, two (2) years, three (3) years, four (4) years and five (5) years; thereafter the terms of all directors shall be five (5) years.~~ The municipal governing body may remove any director for misconduct or neglect of duty. Vacancies in the library board of directors shall be filled in the same manner as original appointments.

SECTION 2. AMENDATORY 11 O.S. 1991, Section 31-104, is amended to read as follows:

Section 31-104. The library board shall ~~exercise~~ have control and supervision ~~over~~ of the public library of the municipality. The library board may appoint a suitable librarian and remove the librarian, subject to approval of the municipal governing body. The board shall fix any fees to be charged by the library and shall have such other powers and authority as may be provided by ordinances of the municipality.

SECTION 3. AMENDATORY 11 O.S. 1991, Section 31-106, is amended to read as follows:

Section 31-106. ~~The municipal governing body library board~~ may impose, ~~by ordinance, fines or suitable penalties for the punishment of persons committing injury upon the municipal library or other property thereof, and for~~ loss of, failure to return, or injury damage to or failure to return any book belonging to the library materials, subject to ordinances which the municipal governing body may enact.

SECTION 4. AMENDATORY 11 O.S. 1991, Section 31-107, is amended to read as follows:

Section 31-107. Any person desiring to make donations of money, personal or real property for the benefit of the municipal library, ~~or for the establishment, maintenance or endowment of public lectures in connection with the library upon any subject designated by the donor in the field of literature, science and the arts (except that lectures in the interest of any political party, politics or sectarian religion are expressly prohibited)~~ shall have the right to vest the title to such money or property in the municipality, to be held and controlled by the municipality, when accepted, according to the terms of the donation. The municipality shall be held and considered to be a special trustee as to such property or money donated.

SECTION 5. This act shall become effective July 1, 1992.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 21st day of May, 1992.

President of the Senate

Passed the House of Representatives the 26th day of May, 1992.

Speaker of the House of Representatives