STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1511 By: Peterson

COMMITTEE SUBSTITUTE

An Act relating to public libraries; amending 65 O.S. 2011, Section 1-105, which relates to disclosure of records; prohibiting disclosure of certain information; providing exceptions; defining term; requiring certain requests be reported to law enforcement; and declaring an emergency.

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

SECTION 1. AMENDATORY 65 O.S. 2011, Section 1-105, is amended to read as follows:

Section 1-105. A. Any library which is in whole or in part supported by public funds including but not limited to public, academic, school or special libraries, and having records indicating which of its documents or other materials, regardless of format, have been loaned to or used by an identifiable individual or group shall not disclose such records to any person except to:

1. Persons acting within the scope of their duties in the administration of the library;

2. Persons authorized to inspect such records, in writing, by the individual or group; or

3. By order of a court of law.

B. The requirements of this section shall not prohibit middle and elementary school libraries from maintaining a system of records that identifies the individual or group to whom library materials have been loaned even if such system permits a determination, independent of any disclosure of such information by the library, that documents or materials have been loaned to an individual or group.

C. All registration information of minors collected by any library which is supported in whole or in part by public funds including but not limited to public, academic, school or special libraries shall not be disclosed to any person except:

1. Persons acting only within the legitimate scope of their duties in the administration of the library;

2. Persons authorized to inspect such records, in writing, by the individual; or

3. By order of a court of law.

For purposes of this section, "registration information" includes any information required of a minor in order to become eligible to borrow books, utilize library services, and other materials.

D. Any suspicious requests for records of minors that may be indicative of criminal intent shall be reported immediately to appropriate law enforcement authorities.

SECTION 2. 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.

54-1-6992 GRS 02/13/13