

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1392

By: Perryman

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6 AS INTRODUCED

7 An Act relating to public libraries; amending 65 O.S.
8 2011, Section 4-102, which relates to the creation of
9 library systems; authorizing the creation of a
library system by certain entities; and providing an
effective date.

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

13 SECTION 1. AMENDATORY 65 O.S. 2011, Section 4-102, is
14 amended to read as follows:

15 Section 4-102. A library system may be created by resolution or
16 ordinance approved by the boards of county commissioners or by the
17 governing bodies of all cities or towns of two thousand (2,000) or
18 more according to the latest U.S. Census within the proposed
19 district, or by the county seat town if no city or town within a
20 county has a population of at least two thousand (2,000), subject to
21 approval by the Oklahoma Department of Libraries Board. Such
22 resolution and ordinances shall specify the type of system to be
23 created, the district to be served, organization of the governing
24 board of the system, proposed financing including agreement to call

1 for a vote of the people as necessary for special tax levies, and
2 shall constitute application for approval by the Oklahoma Department
3 of Libraries Board when submitted to the Board.

4 A library system may be created upon initiative of the county,
5 city and town governing bodies concerned, or upon presentation of
6 petitions to the board of county commissioners of each county signed
7 by not less than ten (10%) percent of the qualified electors of each
8 county voting in the latest preceding general election. Upon
9 receipt of such petitions, the board of county commissioners of each
10 county shall forthwith call for a countywide vote on the proposed
11 library system.

12 A library system may be created by a joint resolution of a
13 municipality and one or more school districts when all or part of
14 the area of the school district or school districts is located
15 within the corporate limits of the municipality.

16 When approval of the proposed system is granted by the Oklahoma
17 Department of Libraries Board, ~~the county, city and town~~ governing
18 bodies of the affected entities shall proceed with appointment of
19 the system board and financing.

20 After appointment of the governing board of the library system,
21 it may request demonstration library services by the Oklahoma
22 Department of Libraries before approval of special tax levies and/or
23 may request a grant of funds for interim services before collection
24 of special tax levies by the people of the district.

1 The boards of county commissioners and the governing bodies of
2 ~~cities and towns~~ the entities involved in creation of a library
3 system, and the governing board of the library system, are
4 authorized to enter into contracts and agreements by and between
5 such governing bodies and with other such library systems, special
6 and school and college libraries, and the Oklahoma Department of
7 Libraries in affecting the purposes of this article and other
8 articles of this Code.

9 After a system has been created, another county or counties may
10 be added to the system by action of the governing bodies of the
11 applicant counties and cities as provided in the procedure for
12 establishment.

13 Any library system created under the provisions of this Code may
14 be terminated, or a part thereof may withdraw and resulting special
15 tax levies shall be discontinued only by majority vote of qualified
16 electors voting in an election called by petitions signed by not
17 less than twenty (20%) percent of the qualified electors voting in
18 the latest preceding general election of the county or counties
19 wishing to terminate or withdraw.

20 This provision for termination of all or a part of a library
21 system shall not prohibit the reorganization of any system, or the
22 transfer of part of a system to another system or the merging of
23 systems, by act of the ~~county, city and town~~ governing bodies of the
24 county, municipality or school district with approval of the

1 Oklahoma Department of Libraries Board, provided that such changes
2 do not result in termination of library service in any other area
3 for which such service has been approved.

4 SECTION 2. This act shall become effective November 1, 2013.

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