

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1183

By: Matthews

6 AS INTRODUCED

7 An Act relating to libraries; amending 65 O.S. 2011,
8 Section 157, which relates to city-county library
9 budgets; directing certain city-county library income
10 to be deposited into certain account with certain
11 bank; removing language restricting use of certain
12 revolving fund; amending 65 O.S. 2011, Section 158,
13 which relates to powers and duties of city-county
14 library commissions; removing language requiring
15 certain property transactions to occur only after
16 certain authorization; allowing the commission to
17 borrow on certain credit for certain time period;
18 allowing the commission to do certain other necessary
19 or desirable things; amending 65 O.S. 2011, Section
20 159, which relates to library contracts; removing
21 language requiring certain approval to enter into
22 certain contract; updating statutory language;
23 providing an effective date; and declaring an
24 emergency.

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

19 SECTION 1. AMENDATORY 65 O.S. 2011, Section 157, is
20 amended to read as follows:

21 Section 157. It shall be the duty of the city-county library
22 commission to prepare an annual budget.

23 Each county and city establishing a city-county library system,
24 as herein provided, at the beginning of each fiscal year or as soon
25

1 thereafter as may be practicable, shall agree upon the necessary
2 contributions to be made by each for the establishment, operation
3 and maintenance of the city-county library system, appropriate such
4 funds as may be agreed upon, and combine ~~said~~ the funds with funds
5 from any other source. Periodically, as may be agreed upon, the
6 city and county shall contribute their appropriated funds to a
7 common fund upon claims therefor being filed by the commission with
8 the governing body of the city and with the board of county
9 commissioners. The contributions shall be made by warrants, issued
10 by the appropriate officers and made payable to the city treasurer
11 or county treasurer, as may be agreed upon by the city and county.
12 ~~Said~~ The common fund shall be maintained as a depository account
13 with either the city treasurer or county treasurer, as may be agreed
14 upon, and shall be disbursed upon vouchers drawn by such officer or
15 employee of the commission as may be agreed upon by the city and
16 county. ~~Said~~ The vouchers shall be issued only in payment of claims
17 which have been executed in the manner prescribed by law for claims
18 against the county or the city and before delivery to the payee,
19 shall be registered with the city treasurer or county treasurer, as
20 the case may be.

21 The officer or employee of the commission designated by the city
22 and county to draw vouchers in payment of such claims shall be
23 bonded in an amount as may be required by the city and county, but
24 not less than Twenty Thousand Dollars (\$20,000.00). The designated

1 officer or employee shall be governed by the same statutory
2 provisions relating to depository accounts as apply to county
3 officials generally. Nothing contained herein shall be construed as
4 exempting from the application of the general statutes relating to
5 appropriations the funds contributed by the city and county to this
6 common fund.

7 Income of the city-county library system from fines, fees, sales
8 of personal property, and other miscellaneous sources, excluding
9 income from sales of real property, shall not be considered general
10 revenue of either the city or the county. It shall be deposited
11 promptly ~~with the city treasurer or the county treasurer, as the~~
12 ~~case may be, and shall be credited directly to the depository~~
13 ~~account of the commission without appropriation~~ in a commission
14 account with a bank whose deposits are insured by the Federal
15 Deposit Insurance Corporation (FDIC). Income from this source shall
16 constitute a revolving fund which shall not be subject to fiscal
17 limitations and which may be expended as directed by the commission
18 ~~for the replacement or repair of books and other personal property~~
19 ~~other than motor vehicles.~~

20 In the event funds are made available for library purposes in
21 the county, pursuant to the provisions of Section 10A of Article X
22 of the Oklahoma Constitution, all or any part of the cost of
23 establishing, maintaining and operating the city-county library
24 system as set forth in the powers granted to the commission in

1 Section 158 of this title, and otherwise, may be paid with such
2 funds, and the city-county library commission is authorized hereby
3 to administer the expenditure of such funds ~~in the same manner as~~
4 ~~herein provided for expenditure of funds appropriated from general~~
5 ~~revenue for library purposes.~~

6 SECTION 2. AMENDATORY 65 O.S. 2011, Section 158, is
7 amended to read as follows:

8 Section 158. Every city-county library commission created by
9 ~~this act~~ Section 151 et seq. of this title shall have all the powers
10 necessary or convenient for the accomplishment of the purpose and
11 provisions hereof, including in addition to others herein granted,
12 the following powers:

13 ~~(a)~~ A. To establish a city-county library system and to adopt
14 such rules and regulations for the operation thereof as may be
15 deemed necessary or expedient.

16 ~~(b)~~ B. To purchase, lease, or otherwise acquire land or
17 buildings or portions of buildings for library purposes.

18 ~~(c)~~ C. To erect, maintain, and operate public library buildings
19 at one or more places in the county.

20 ~~(d)~~ D. To accept transfer of any existing public library or
21 libraries by lease or other conveyance.

22 ~~(e)~~ E. To acquire by purchase or otherwise books and other
23 personal property customarily used in the operation of public
24 libraries, including necessary motor vehicles.

1 ~~(f)~~ F. To sell and dispose of personal property acquired by
2 purchase or other means when by proper resolution the commission
3 finds that ~~said~~ the property is not needed for library purposes.

4 ~~(g)~~ G. To accept, hold~~r~~, and convey legal title to interests in
5 real property in the name "City-County Library Commission of _____
6 County" which shall be its official name. Deeds or other
7 conveyances of ~~said~~ interests in real property shall be executed for
8 and on behalf of the commission by the ~~chairman~~ chair and shall be
9 attested by the secretary, ~~only after authorization by resolution of~~
10 ~~the governing body of the city and the board of county~~
11 ~~commissioners.~~

12 ~~(h)~~ H. To accept, or in its discretion to decline donations
13 tendered to the city-county library system.

14 ~~(i)~~ I. To administer the expenditure of any funds which may
15 become available for library purposes pursuant to the provisions of
16 Section 10A, Article X of the Constitution of the State of Oklahoma.

17 ~~(j)~~ J. To borrow on the credit of the commission for a period
18 of time not to exceed one (1) year.

19 ~~(k)~~ K. To enter into agreements with school districts in any
20 area served by the library upon such terms as may be mutually
21 agreed. The agreement shall prescribe equitable charges for the
22 cost to serve schools which include on-site costs of library
23 collection and library automation and the cost of providing assigned
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1 staffing which meets the certification requirements for school
2 library media programs.

3 L. To do all other things necessary or desirable to carry out
4 the purposes and provisions of the City-County Library Act.

5 SECTION 3. AMENDATORY 65 O.S. 2011, Section 159, is
6 amended to read as follows:

7 Section 159. The governing body of any other city or town in
8 any county is authorized to contract with the city-county library
9 commission, ~~subject to the approval of the governing body of the~~
10 ~~city and the board of county commissioners,~~ to bring such other city
11 or town into the city-county library system, upon such terms as may
12 be mutually agreed upon, and for that purpose may lease to the city-
13 county library commission any library facilities or property which
14 such other city or town may own, may include in its annual budget
15 appropriations for participation in the city-county library system,
16 and shall pay over to the city-county library system funds so
17 appropriated.

18 SECTION 4. This act shall become effective July 1, 2020.

19 SECTION 5. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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