

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 ~~servng--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 ~~servng--a--city--of--over--500,000--population,--which--organization~~  
30 ~~is--or--has--been--created--as--a--library--system--in--accordance--with~~

1 this Act. Such organization may also include, subject to the  
2 provisions of this Act, libraries other than public  
3 libraries. A library system may consist of any of the  
4 following:

5 a) A cooperative public library system in which 10 or  
6 more public libraries enter into a written agreement to  
7 provide any or all library services on a cooperative basis.

8 b) A public library system consisting of a single public  
9 library serving a city of over 500,000 population.

10 c) A multitype library system in which (1) 10 or more  
11 public libraries and in addition other types of libraries, or  
12 (2) a single public library and in addition other types of  
13 libraries serving a city of over 500,000 population, enter  
14 into an agreement to provide any or all library services on a  
15 cooperative basis.

16 (Source: P.A. 83-411.)

17 (75 ILCS 10/4) (from Ch. 81, par. 114)

18 Sec. 4. (a) A cooperative public library system or a  
19 public library system shall be established in the following  
20 manner: The formation of a library system of 10 or more  
21 public libraries or of a public library serving a city of  
22 over 500,000 population shall first be approved by the boards  
23 of directors of the participating public library or  
24 libraries, followed by the election or selection of a board  
25 of directors for the library system as provided in Sections 5  
26 and 6 of this Act. Subject to rules adopted by the State  
27 Librarian, an application for the formation of a cooperative  
28 public library system or a public library system shall then  
29 be submitted by the board of directors of the system to the  
30 State Librarian, together with a plan of service describing  
31 the specific purposes for which the system is formed and the  
32 means by which such purposes are to be accomplished. If it  
33 shall appear to the satisfaction of the State Librarian that

1 the establishment of a cooperative-public-library-system-or-a  
2 public library system will result in improved library  
3 service, he shall approve the application.

4 The--conversion-of-a-cooperative-public-library-system-or  
5 a-public-library-system-to-a-multitype-library--system--shall  
6 be--accomplished--in-the-following-manner:-when-a-majority-of  
7 the-board-of-directors-of-a-cooperative-public-library-system  
8 or-a-public-library-system-approves-conversion-to-a-multitype  
9 library-system, and when that action has been approved--by--a  
10 majority--of--the--boards--of--the-public-library-members-and  
11 these-public-libraries-represent-a-majority-of-the-population  
12 served-by-the-public-library-members,--the--system--board--of  
13 directors-shall-submit-an-application-to-the-State-Librarian.  
14 The--application--shall--include--the-proposed-bylaws-for-the  
15 multitype--system--and--a--plan--of--service--describing--the  
16 specific-purposes-to-be-accomplished-by-the-multitype-system.  
17 If-it-shall-appear-to-the-satisfaction-of-the-State-Librarian  
18 that-the-conversion-of-a-cooperative-public-library-system-or  
19 a-public-library--system--will--result--in--improved--library  
20 service,--he--shall--approve--the-application.--The-effective  
21 date-of-the-multitype-library-system-shall-be-the-date-of-the  
22 approval-of-the-appropriation--for--the--fiscal--year,--which  
23 funding--for--the--newly-approved-system-has-been-included-as  
24 provided-in-Section-8-of-this--Act.---Upon--conversion--of--a  
25 cooperative--public-library-system-or-a-public-library-system  
26 to--a--multitype--library--system,--the--boundaries--of--the  
27 multitype--system--shall--be--the--same--as--the--preexisting  
28 cooperative--public--library-system-or-public-library-system.  
29 The State Librarian shall provide that all areas of the State  
30 fall within the boundaries of a library system. The State  
31 Librarian shall have the right to grant provisional status  
32 for a period of not more than 3 years from the date of  
33 submission of the application for creation of a the  
34 conversion-of-a-cooperative-public library system or-a-public

1 ~~library-system-to-a--multitype--library--system~~ if, in his  
2 judgment, provisions in the bylaws or plan of service of the  
3 proposed multitype library system fail to meet the criteria  
4 established in this Act or in the rules and regulations  
5 authorized by this Act. If the deficiencies noted by the  
6 State Librarian in granting provisional status are not  
7 corrected within the 3 year period, the provisional multitype  
8 system status of the system shall be rescinded and the assets  
9 of the provisional multitype system shall be liquidated as  
10 provided for in Section 13 or the provisional system shall  
11 submit a plan for consolidation with an adjoining existing  
12 system revert---to---the---preexisting---and---reestablished  
13 cooperative--public--library-system-or-public-library-system.  
14 In such case the State Librarian shall assume fiscal and  
15 administrative responsibility for maintenance of services  
16 until a library system status is reestablished or a  
17 determination is made by the State Librarian as to the most  
18 efficient means of delivering service to the libraries of the  
19 system.

20 Upon the determination of the State Librarian that: (i)  
21 an existing system has failed to meet the criteria  
22 established by this Act or the rules authorized by this Act;  
23 (ii) conditions exist to merit the consolidation of library  
24 systems; or (iii) an alternative means of delivering library  
25 service to the libraries of the territory of a library system  
26 is feasible, the State Librarian may assume fiscal and  
27 administrative responsibility of the library system, upon due  
28 notice and public hearings as prescribed by rule.

29 (b) A multitype library system as defined in  
30 subparagraph (3) of the definition of "library system" in  
31 Section 2 that, prior to the effective date of this  
32 amendatory Act of the 93rd General Assembly, was organized  
33 and provided service as a multitype library system that  
34 served a public library in a city with a population of

1 500,000 or more need not reorganize for formation as a new  
 2 library system but may, at the discretion of the State  
 3 Librarian, continue as a library system subject to conditions  
 4 and restrictions of this Act and any stipulations of the  
 5 State Librarian.

6 (Source: P.A. 83-411.)

7 (75 ILCS 10/5) (from Ch. 81, par. 115)

8 Sec. 5. Each ~~cooperative--public~~ library system or  
 9 ~~multitype--library--system~~ created by ~~---conversion---~~ of ~~---a~~  
 10 ~~cooperative-public-library-system~~ as provided in Section 4 of  
 11 this Act shall be governed by a board of directors numbering  
 12 at least 5 and no more than 15 persons, except as required by  
 13 Section 6 for library systems in cities with a population of  
 14 500,000 or more. ~~In-cooperative-public-library-systems-the~~  
 15 ~~members-shall-be--elected--or--selected--from--the--governing~~  
 16 ~~boards--of--the--participating-public-libraries.~~ ~~In-multitype~~  
 17 ~~library-systems~~ The board shall be representative of the  
 18 variety of library interests in the system, and at least a  
 19 majority shall be elected or selected from the governing  
 20 boards of the member public libraries, with not more than one  
 21 director representing a single member library. For library  
 22 systems as defined in subparagraph (3) of the definition of  
 23 "library system" in Section 2, the board members shall be  
 24 representative of the types of libraries that library system  
 25 serves. The number of directors, the manner of election or  
 26 selection, the term of office and the provision for filling  
 27 vacancies shall be determined by the system governing board  
 28 except that all board members must be eligible electors in  
 29 the geographical area of the system. No director of any  
 30 library system, however, shall be permitted to serve for more  
 31 than a total of 6 years unless 2 years have elapsed since his  
 32 sixth year of service.

33 The board of directors shall elect a president, secretary

1 and treasurer. Before entering upon his duties, the treasurer  
2 shall be required to give a bond in an amount to be approved  
3 by the board, but in no case shall such amount be less than  
4 50% of the system's area and per capita grant for the  
5 previous year, conditioned that he will safely keep and pay  
6 over upon the order of such board all funds received and held  
7 by him for the library system. The funds of the library  
8 system shall be deposited in a bank or savings and loan  
9 association designated by the board of directors and shall be  
10 expended only under the direction of such board upon properly  
11 authenticated vouchers.

12 No bank or savings and loan association shall receive  
13 public funds as permitted by this Section, unless it has  
14 complied with the requirements established pursuant to  
15 Section 6 of the Public Funds Investment Act.

16 The members of the board of directors of the library  
17 system shall serve without compensation but their actual and  
18 necessary expenses shall be a proper charge against the  
19 library fund.

20 (Source: P.A. 91-357, eff. 7-29-99.)

21 (75 ILCS 10/6) (from Ch. 81, par. 116)

22 Sec. 6. The board and officers of the public library  
23 served by the library system defined in subparagraph (2) of  
24 the definition of "library system" in Section 2 shall  
25 administer that library system. That public library system  
26 shall annually submit a plan of service to be approved by the  
27 State Librarian. The plan of service shall include the  
28 provision of specified services for all types of libraries  
29 operating within the municipal territory of the system  
30 subject to approval or revision by the State Librarian. The  
31 multitype services shall be provided in consultation with the  
32 multitype library system defined in subparagraph (3) of the  
33 definition of "library system" in Section 2 serving the same

1 municipal territory. A public library system as provided in  
2 paragraph "b" of Section 2 of this Act shall be governed by  
3 the same board and officers that govern the existing public  
4 library of that area. The funds received from the state shall  
5 be expended only under the direction of such board upon  
6 properly authenticated vouchers. When such public library  
7 system becomes a multitype library system under the  
8 provisions of this Act, the board shall consist of at least  
9 12 and no more than 15 persons representing the variety of  
10 library interests in the system. The number of directors,  
11 the manner of election or selection, the term of office and  
12 the provision for filling vacancies shall be determined by  
13 the bylaws of the multitype system.

14 The board shall elect a president and a secretary, shall  
15 designate a treasurer, and may designate such other officers  
16 as the board may deem necessary. Before entering upon his  
17 duties, the treasurer shall be required to give a bond in an  
18 amount to be approved by the board, but in no case less than  
19 50% of the system's area and per capita grant for the  
20 previous year, conditioned that he will safely keep and pay  
21 over upon the order of such board all funds received and held  
22 by him for the library system. The funds of the library  
23 system shall be deposited in a bank designated by the board  
24 of directors and shall be expended only under the direction  
25 of such board upon properly authenticated vouchers. The  
26 members of the board shall serve without compensation but  
27 their actual and necessary expenses shall be a proper charge  
28 against the library fund.

29 (Source: P.A. 83-411.)

30 (75 ILCS 10/8) (from Ch. 81, par. 118)

31 Sec. 8. State grants.

32 (a) There shall be a program of State grants within the  
33 limitations of funds appropriated by the Illinois General

1 Assembly together with other funds made available by the  
2 federal government or other sources for this purpose. This  
3 program of State grants shall be administered by the State  
4 Librarian in accordance with rules and regulations as  
5 provided in Section 3 of this Act and shall include the  
6 following: (i) annual equalization grants; (ii) Library  
7 System grants; (iii) ~~annual-grants-to-Research-and-Reference~~  
8 ~~Centers;~~ ~~(iv)~~ per capita grants to public libraries; and (iv)  
9 ~~(v)~~ planning and construction grants to public libraries and  
10 library systems. Libraries, in order to be eligible for  
11 grants under this Section, must be members of a library  
12 system.

13 (b) An annual equalization grant shall be made to all  
14 public libraries for which the corporate authorities levy a  
15 tax for library purposes at a rate not less than .13% of the  
16 value of all the taxable property as equalized and assessed  
17 by the Department of Revenue if the amount of tax revenue  
18 obtained from a rate of .13% produces less than \$4.25 per  
19 capita. In that case, the State Librarian is authorized to  
20 make an equalization grant equivalent to the difference  
21 between the amount obtained from a rate of .13% and an annual  
22 income of \$4.25 per capita. If a library receiving an  
23 equalization grant reduces its tax levy below the amount  
24 levied at the time the original application is approved, it  
25 shall be ineligible to receive further equalization grants.

26 If a library is subject to the Property Tax Extension  
27 Limitation Law in the Property Tax Code and its tax levy for  
28 library purposes has been lowered to a rate of less than  
29 .13%, the library will qualify for this grant if the library  
30 levied a tax for library purposes that met the requirements  
31 for this grant in the previous year and if the tax levied for  
32 library purposes in the current year produces tax revenue for  
33 the library that is an increase over the previous year's  
34 extension of 5% or the percentage increase in the Consumer

1 Price Index, whichever is less, and the tax revenue produced  
 2 by this levy is less than \$4.25 per capita. In this case,  
 3 the State Librarian is authorized to make an equalization  
 4 grant equivalent to the difference between the amount of tax  
 5 revenue obtained from the current levy and an annual income  
 6 of \$4.25 per capita. If a library receiving an equalization  
 7 grant reduces its tax levy below the amount levied at the  
 8 time the original application is approved, it shall be  
 9 ineligible to receive further equalization grants.

10 (c) Annual Library System grants shall be made, upon  
 11 application, to each library system approved by the State  
 12 Librarian on the following basis:

13 ~~(0.5) The distribution of annual library system~~  
 14 ~~grants, from all fund sources for this purpose, at the~~  
 15 ~~rate of 90% for distribution by means of area and per~~  
 16 ~~capita served, as provided in paragraph (1) of this~~  
 17 ~~subsection. Additionally, the remaining 10% of funds~~  
 18 ~~available for annual library system grants shall be made~~  
 19 ~~available for distribution based upon approved~~  
 20 ~~application, by the State Librarian, for the provision of~~  
 21 ~~services to member libraries and for technological~~  
 22 ~~developments.~~

23 (1) For cooperative public library systems, public  
 24 library systems, or multitype library systems, the sum of  
 25 \$1.46 per capita of the population of the area served  
 26 plus the sum of \$50.75 per square mile or fraction  
 27 thereof of the area served except as provided in  
 28 paragraph (4) of this subsection.

29 (2) If the amounts appropriated for grants are is  
 30 different from the amount provided for in paragraph (1)  
 31 of this subsection, the area and per capita funding shall  
 32 be proportionately reduced or increased accordingly.  
 33 ~~Remaining funding comprising 10% of the annual library~~  
 34 ~~systems grants shall be distributed upon approval of~~

1 application-for-initiatives-of--library--development--and  
2 technological---innovations---according---to---rules--and  
3 regulations--promulgated--by--the--State---Librarian---on  
4 criteria-for-awarding-the-grants-

5 (3) For multitype library systems, additional funds  
6 may be appropriated. The appropriation shall be  
7 distributed on the same proportional per capita and per  
8 square mile basis as provided in paragraphs paragraph (1)  
9 and (4) of this subsection.

10 (4) Per capita and area funding for a multitype  
11 library system as defined in subparagraph (3) of the  
12 definition of "library system" in Section 2 and a public  
13 library system in cities with a population of 500,000 or  
14 more as defined in subparagraph (2) of the definition of  
15 "library system" in Section 2 shall be apportioned with  
16 25% of the funding granted to the multitype library  
17 system and 75% of the funding granted to the public  
18 library system.

19 (d) The "area served" for the purposes of this Act means  
20 the area that lies within the geographic boundaries of the  
21 library system as approved by the State Librarian. In  
22 determining the population of the area served by the library  
23 system, the Illinois State Library shall use the latest  
24 federal census for the political subdivisions in the area  
25 served.

26 (e) In order to be eligible for a grant under this  
27 Section, the corporate authorities, instead of a tax levy at  
28 a particular rate, may provide ~~from--a-source-other-than~~  
29 ~~federal-revenue-sharing~~ an amount equivalent to the amount  
30 produced by that levy.

31 (Source: P.A. 89-188, eff. 7-19-95; 90-169, eff. 7-23-97.)

32 (75 ILCS 10/8.1) (from Ch. 81, par. 118.1)

33 Sec. 8.1. The State Librarian shall make grants annually

1 under this Section to all qualified public libraries in the  
2 State from funds appropriated by the General Assembly. Such  
3 grants shall be in the amount of up to \$1.25 per capita for  
4 the population of the area served by the respective public  
5 library and, in addition, the amount of up to \$0.19 per  
6 capita to libraries serving populations over 500,000 under  
7 the Illinois Major Urban Library Program. If the moneys  
8 appropriated for grants under this Section are not  
9 sufficient the State Librarian shall reduce the per capita  
10 amount of the grants so that the qualifying public libraries  
11 receive the same amount per capita.

12 To be eligible for grants under this Section, a public  
13 library must:

14 (1) Provide, as determined by the State Librarian,  
15 library services which either meet or show progress  
16 toward meeting the Illinois library standards, as most  
17 recently adopted by the Illinois Library Association.

18 (2) Be a public library for which is levied a tax  
19 for library purposes at a rate not less than .13% or a  
20 county library for which is levied a tax for library  
21 purposes at a rate not less than .07%. If a library is  
22 subject to the Property Tax Extension Limitation Law in  
23 the Property Tax Code and its tax levy for library  
24 purposes has been lowered to a rate of less than .13%,  
25 this requirement will be waived if the library qualified  
26 for this grant in the previous year and if the tax levied  
27 for library purposes in the current year produces tax  
28 revenue for library purposes that is an increase over the  
29 previous year's extension of 5% or the percentage  
30 increase in the Consumer Price Index, whichever is less.

31 Any other language in this Section to the contrary  
32 notwithstanding, grants under this Section 8.1 shall be made  
33 only upon application of the public library concerned, which  
34 applications shall be entirely voluntary and within the sole

1 discretion of the public library concerned.

2       Notwithstanding--the--first--paragraph--of--this--Section,  
3 during--fiscal--year--1978,--the--amount--of--grants--under--this  
4 Section--shall--be--\$0.25--per--capita,--during--fiscal--year--1979  
5 the--amount--of--grants--under--this--Section--shall--be--\$0.50--per  
6 capita,--during--fiscal--year--1980--the--amount--of--grants--under  
7 this--Section--shall--be--\$0.75--per--capita,--during--fiscal--year  
8 1981--through--fiscal--year--1993--the--amount--of--grants--shall--be  
9 \$1--per--capita,--and--during--fiscal--year--1994--and--thereafter--the  
10 amount--of--public--library--grants--shall--be--\$1.25--per--capita,  
11 and--the--amount--of--the--Major--Urban--Library--Program--grants  
12 shall--be--\$0.19--per--capita.--If--the--monies--appropriated--for  
13 these--grants--are--not--sufficient,--the--State--Librarian--shall  
14 reduce--the--per--capita--amount--of--the--grants--proportionately.

15       In order to be eligible for a grant under this Section,  
16 the corporate authorities, in lieu of a tax levy at a  
17 particular rate, may provide funds from other sources, an  
18 amount equivalent to the amount to be produced by that levy.

19 (Source: P.A. 90-169, eff. 7-23-97; 91-357, eff. 7-29-99.)

20       Section 99. Effective date. This Act takes effect upon  
21 becoming law.