

1 AN ACT concerning public libraries.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Public  
5 Library Construction Act.

6 Section 5. Definitions. As used in this Act:

7 "Grant index" means a figure for each public library equal  
8 to one minus the ratio of the public library's equalized  
9 assessed valuation per capita to the equalized assessed  
10 valuation per capita of the public library located at the 90th  
11 percentile for all public libraries in the State. The grant  
12 index shall be no less than 0.35 and no greater than 0.75 for  
13 each public library; provided that the grant index for public  
14 libraries whose equalized assessed valuation per capita is at  
15 the 99th percentile and above for all public libraries in the  
16 State shall be 0.00.

17 "Public library" means the governmental unit of any free  
18 and public library (i) established under the Illinois Local  
19 Library Act, the Public Library District Act of 1991, the  
20 Illinois Library System Act, or the Village Library Act or (ii)  
21 maintained and operated by a unit of local government. "Public  
22 library" does not include any private library.

23 "Public library construction project" means the  
24 acquisition, development, construction, reconstruction,  
25 rehabilitation, improvement, architectural planning,  
26 installation, maintenance, and upkeep of capital facilities  
27 consisting of buildings, structures, durable equipment, and  
28 land for public library purposes.

29 Section 10. Grant awards. The Capital Development Board is  
30 authorized to make grants to public libraries for public  
31 library construction projects with funds appropriated by the

1 General Assembly from the Public Library Construction Fund  
2 pursuant to the provisions of this Act.

3 Section 15. Grants. The Secretary of State is authorized to  
4 determine grant eligibility for public library construction  
5 projects and shall determine the priority order for public  
6 library construction project grants to be made by the Capital  
7 Development Board. When a grant eligibility has been determined  
8 for a public library construction project, the Capital  
9 Development Board shall notify the public library of the dollar  
10 amount of the public library construction project's cost that  
11 the public library will be required to finance with non-grant  
12 funds in order to qualify to receive a public library  
13 construction project grant under this Act from the Capital  
14 Development Board. The Secretary of State shall thereafter  
15 determine whether a grant shall be made.

16 Section 20. Grant application; public library facilities  
17 plan. Public libraries shall apply to the Secretary of State  
18 for public library construction project grants. Public  
19 libraries filing grant applications shall submit to the  
20 Secretary of State a public library facilities plan that shall  
21 include, but not be limited to, an assessment of present and  
22 future public library facility needs as required by present and  
23 anticipated public library programming, the availability of  
24 local financial resources including current revenues, fund  
25 balances, and unused bonding capacity, a fiscal plan for  
26 meeting present and anticipated debt service obligations, and a  
27 maintenance plan and schedule that contain necessary  
28 assurances that new, renovated, and existing facilities are  
29 being or will be properly maintained. The Secretary of State  
30 shall review and approve public library facilities plans prior  
31 to determining eligibility and authorizing grants. Each public  
32 library that is determined to be eligible shall annually update  
33 its public library facilities plan and submit the revised plan  
34 to the Secretary of State for approval.

1 Section 25. Eligibility and project standards.

2 (a) The Secretary of State shall establish eligibility  
3 standards for public library construction project grants and  
4 approve a public library's eligibility for a public library  
5 construction project grant pursuant to the established  
6 standards. These standards shall include minimum service  
7 population requirements for construction project grants.

8 (b) The Capital Development Board shall establish project  
9 standards for all public library construction project grants  
10 provided pursuant to this Act. These standards shall include  
11 the determination of recognized project costs that shall be  
12 eligible for State financial assistance and enrichment costs  
13 that shall not be eligible for State financial assistance.

14 Section 30. Priority of public library construction  
15 projects. The Secretary of State shall develop standards for  
16 the determination of priority needs concerning public library  
17 construction projects based upon approved public library  
18 facilities plans. These standards shall call for  
19 prioritization based on the degree of need and project type in  
20 the following order:

21 (1) Replacement or reconstruction of public library  
22 facilities destroyed or damaged by flood, tornado, fire,  
23 earthquake, or other disasters, either man-made or  
24 produced by nature;

25 (2) Projects designed to address population growth or  
26 to replace aging public library facilities;

27 (3) Replacement or reconstruction of public library  
28 facilities determined to be severe and continuing health or  
29 life safety hazards;

30 (4) Alterations necessary to provide accessibility for  
31 qualified individuals with disabilities; and

32 (5) Other unique solutions to facility needs.

33 Section 35. Public library construction project grant

1 amounts; permitted use; prohibited use.

2 (a) The product of the public library's grant index and the  
3 recognized project cost, as determined by the Capital  
4 Development Board, for an approved public library construction  
5 project shall equal the amount of the grant the Capital  
6 Development Board shall provide to the eligible public library.  
7 The grant index shall not be used in cases where the General  
8 Assembly and the Governor approve appropriations designated  
9 for specifically identified public library construction  
10 projects.

11 (b) In each fiscal year in which public library  
12 construction project grants are awarded, of the total amount  
13 awarded statewide, 20% shall be awarded to the Chicago Public  
14 Library System, provided that the Chicago Public Library System  
15 complies with the provisions of this Act, and 80% shall be  
16 awarded to public libraries outside of the City of Chicago.

17 (c) No portion of a public library construction project  
18 grant awarded by the Capital Development Board shall be used by  
19 a public library for any on-going operational costs.

20 Section 37. Carry over projects. If a public library has  
21 been determined eligible for a public library construction  
22 project, has arranged and approved all local financing, and is  
23 eligible to receive a public library construction project grant  
24 award in any fiscal year, but does not receive such award in  
25 that year due to lack of adequate appropriations, those public  
26 library construction projects shall continue to be considered  
27 for grant awards for the following fiscal year.

28 Section 40. Supervision of public library construction  
29 projects. The Capital Development Board shall exercise general  
30 supervision over public library construction projects financed  
31 pursuant to this Act. Public libraries, however, must be  
32 allowed to choose the architect and engineer for their public  
33 library construction projects, and no project may be  
34 disapproved by the Secretary of State or the Capital

1 Development Board solely due to a public library's selection of  
2 an architect or engineer.

3 Section 50. Referendum requirements. After the Secretary  
4 of State has approved all or part of a public library's  
5 application and made a determination of eligibility for a  
6 public library construction project grant, the governing body  
7 of the public library shall submit the project or the financing  
8 of the project to a referendum when the referendum is required  
9 by law.

10 Section 55. Rules.

11 (a) The Capital Development Board shall promulgate such  
12 rules as it deems necessary for carrying out its  
13 responsibilities under the provisions of this Act.

14 (b) The Secretary of State shall promulgate such rules as  
15 it deems necessary for carrying out its responsibilities under  
16 the provisions of this Act.

17 Section 60. Public library capital needs assessment. The  
18 Secretary of State and the Capital Development Board shall file  
19 with the General Assembly a comprehensive assessment report of  
20 the capital needs of all public libraries in this State before  
21 January 1, 2006 and every 2 years thereafter. This assessment  
22 shall include, without limitation, an analysis of the 5  
23 categories of capital needs prioritized in Section 5-30 of this  
24 Act.

25 Section 900. The State Finance Act is amended by adding  
26 Section 5.640 as follows:

27 (30 ILCS 105/5.640 new)

28 Sec. 5.640. The Public Library Construction Fund.