

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1225

PRINTER'S NO. 2128

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

August 30, 2011

PRIME SPONSOR

Senator Pileggi

HISTORY OF BILL

Referred to EDUCATION, Aug. 30, 2011

Reported as amended, March 27, 2012

First consideration, March 27, 2012

Re-referred to APPROPRIATIONS, March 28, 2012

Re-reported as amended, April 30, 2012

DESCRIPTION AND PURPOSE OF BILL

Senate Bill 1225 recodifies the Library Code (Act 188 of 1961) in Title 24 (Education) to improve readability, reconcile conflicts between the statute and regulations, update outdated terminology and language that does not reflect current practice and makes changes recommended by the Joint State Government Commission in its review of the Library Code pursuant to Senate Resolution 343.

The changes of note are as follows:

- Requires the Department of Education to appoint a State Librarian who is to serve as the Deputy Secretary for Libraries.
- Increases the number of professional librarians on the Advisory Council on Library development from three to six and reduces the number of laypeople from six to three.
- Requires the State Librarian to establish service standards relevant to current and evolving technologies, such as e-books and electronic journal databases.
- Allows all libraries to make applications to waive standards when state funding is reduced.
- Provides the State Librarian discretion in formulating waivers to allow more flexibility in the application of standards.
- Provides the State Librarian with authority to establish continuing education requirements for all librarians, including library assistants, provisional librarians and professional librarians.

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- Provides the State Librarian with the authority to promulgate rules and regulations modifying the number of hours a library must be open to receive State-aid.
- Changes the factor used to determine eligibility for "incentive for excellence aid" from a dollar amount of surplus financial effort to a percentage of surplus financial effort.
- Makes provisions regarding the offense of damage to library materials consentient with provisions in the Crimes Code for the offense of retention of library materials by reducing the maximum term for imprisonment from 15 days to 10 ten days.

Additionally, provisions were included as an amendment in the Senate Education Committee, which provide for the distribution of State aid to libraries in Fiscal Year 2012-2013. The distribution formula provides for each library to receive an equal percentage increase or decrease in funding over the current year depending on the amount of funds provided in the General Appropriations Act and authorizes the State Librarian to distribute any unallocated funds. It also allows a library system to distribute the State-aid it receives to member libraries in a manner determined by the library system's board of directors, except in the case of a library system operating in a county of the second class.

The legislation provides for the repeal of the Library Code (Act 188 of 1961). Sections 2316 and 2317 of the Public School Code. Sections 1722-J(14) and 1722-L(a)(12) of the Fiscal Code, which provided annual distributions of State-aid for specific fiscal years, are also repealed because the provisions have been included in the recodification.

The legislation is scheduled to take effect in 180 days.

FISCAL IMPACT:

The enactment of Senate Bill 1225 will have no adverse fiscal impact on Commonwealth funds.

Costs related to changes made to the law as a result of the recodification and implementation of the recommendations from the Joint State Government Commission should be insignificant and can be accomplished within the operating appropriations of the State Library and the Department of Education.

Funding for State-aid to libraries in Fiscal Year 2012-2013 will be dependent upon appropriations made by the General Assembly in the General Appropriations Act.

Updating standards and other regulations to reflect current practices and evolving technologies may generate administrative savings for local libraries.