

2024 Regular Session

HOUSE BILL NO. 848

BY REPRESENTATIVE JACKSON

LIBRARIES: Provides relative to budgets adopted by library boards of control in certain parishes

1 AN ACT

2 To amend and reenact R.S. 25:215(A) and 220 and to enact R.S. 25:220.1, relative to public  
3 libraries; to provide relative to budgets adopted by library boards of control; to  
4 provide relative to the powers granted to certain parishes governing authorities with  
5 respect to such budgets; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 25:215(A) and 220 are hereby amended and reenacted and R.S.  
8 25:220.1 is hereby enacted to read as follows:

9 §215. Duties and powers of the board; employment of librarian, assistants, and other  
10 employees

11 A. ~~The~~ Except as otherwise provided in R.S. 25:220.1, the board of control  
12 shall meet and organize immediately after their appointment and annually thereafter  
13 and elect a president, vice-president, secretary, and treasurer, whose duties shall be  
14 those customarily exercised by such officers. The board of control shall have  
15 authority to establish rules and regulations for its own government and that of the  
16 library not inconsistent with law; to elect and employ a librarian, and, upon the  
17 recommendation and approval of the latter, to employ assistant librarians and other  
18 employees and fix their salaries and compensation; provided that no contract of  
19 employment shall be made for a longer period than four years nor with any person  
20 as head librarian who has not been certified by the State Board of Library Examiners

1 as provided in R.S. 25:222. The head librarian may be appointed or elected secretary  
2 of the board of control.

3 \* \* \*

4 §220. Payment of maintenance costs and other expenses

5 ~~The~~ Except as otherwise provided in R.S. 25:220.1, the expenses or costs of  
6 maintenance of a public library established under this Part, including the salaries of  
7 librarian, assistants, and other employees as well as all other incidental expenses,  
8 shall be paid monthly by the governing authority establishing the library, upon the  
9 approval of such expenses and maintenance costs by the board of control of such  
10 library, out of the funds specially budgeted from the general fund for library  
11 purposes and, in default thereof, out of the special taxes voted, levied and collected  
12 by the governing authority for the library's support and maintenance. The board of  
13 control may delegate to the president or one of its members the duty of approving  
14 such monthly expenses and maintenance costs.

15 §220.1. Library board of control; budget; certain parishes

16 The parish governing authority of any parish with a population of not less  
17 than two hundred thousand persons and not more than two hundred fifty thousand  
18 persons according to the latest federal decennial census may exercise budgetary and  
19 fiscal control over any public library created by the respective parish governing  
20 authority. Budgetary and fiscal control shall include the authority of the parish  
21 governing authority to approve, disapprove, or amend a budget adopted by the  
22 respective library board of control and shall also include those powers specifically  
23 granted to the parish governing authority pursuant to R.S. 33:1415(B). The parish  
24 governing authority shall comply with the provisions of the Local Government  
25 Budget Act, R.S. 39:1301 et seq., in exercising the powers of budgetary and fiscal  
26 control authorized in this Section.

27 Section 2. This Act shall become effective on July 1, 2024; if vetoed by the governor  
28 and subsequently approved by the legislature, this Act shall become effective on July 1,  
29 2024, or on the day following such approval by the legislature, whichever is later.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 848 Original

2024 Regular Session

Jackson

**Abstract:** Authorizes certain parish governing authorities to exercise budgetary and fiscal control over public libraries created by the respective governing authority.

Present law authorizes parish and municipal governing authorities to create, by ordinance, public libraries. Requires parish and municipal governing authorities to create public libraries when petitioned by not less than 25% of the duly qualified property taxpayers of the respective parish or municipality. Further requires parish governing authorities to appoint not less than five nor more than seven citizens of the parish as a board of control and municipal governing authorities to appoint five citizens as a board of control.

Proposed law retains present law.

Present law requires the board of control to appoint officers and authorizes the board to establish rules and regulations for its own government and that of the library not inconsistent with law, including the power to elect and employ a librarian and to employ assistant librarians and other employees, subject to approval of the librarian, and to fix their salaries and compensation.

Present law authorizes the governing authority to submit a proposition to the property taxpayers to vote a special tax for the maintenance and support of the library and its branches. Requires the governing authority to submit such a proposition to the voters when requested by a petition of not less than 25% of the duly qualified property taxpayers resident.

Present law requires the governing authority to pay, on a monthly basis, the expenses or costs of maintenance of the library, including the salaries of librarian, assistants, and other employees as well as all other incidental expenses, subject to approval by the board of control. Requires that the expenses or costs be paid out of the funds specially budgeted from the general fund for library purposes, or out of the special taxes levied and collected by the governing authority for the library's support and maintenance.

Proposed law retains present law but provides an exception for parish governing authorities in parishes with a population of not less than 200,000 and not more than 250,000 persons. Authorizes the parish governing authorities to exercise budgetary and fiscal control over any library created by the respective parish governing authority. Provides that budgetary and fiscal control includes the authority to approve, disapprove, or amend a budget adopted by the respective library board of control and also includes powers specifically granted by present law (R.S. 33:1415(B)), which includes the authority to approve operating budgets. Requires parish governing authorities to comply with the provisions of the Local Government Budget Act (R.S. 39:1301 et. seq).

Effective July 1, 2024.

(Amends R.S. 25:215(A) and 220; Adds R.S. 25:220.1)