

2003 SENATE BILL 128

April 29, 2003 – Introduced by Senators LEIBHAM, COWLES, LAZICH and ROESSLER, cosponsored by Representatives ALBERS, KRAWCZYK, BIES, FRISKE, GROTHMAN, GUNDERSON, HAHN, HINES, JESKEWITZ, LADWIG, M. LEHMAN, NASS, OTT, OWENS, PETROWSKI, SERATTI, STONE, TOWNSEND, VAN ROY and LEMAHIEU. Referred to Committee on Judiciary, Corrections and Privacy.

1 **AN ACT** *to amend* 43.30 (1); and *to create* 43.30 (4) of the statutes; **relating to:**
 2 the disclosure of public library records.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a library that is supported by public funds is prohibited from disclosing library records that indicate the identity of any individual who borrows or uses the library's documents or other materials, resources, or services.

This bill requires a library that is supported by public funds, upon the request of a parent or guardian of a child under the age of 16, to disclose to the parent or guardian all library records relating to the use of the library's documents or other materials, resources, or services by the child.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 43.30 (1) of the statutes is amended to read:
 4 **43.30 (1)** Records of any library which is in whole or in part supported by public
 5 funds, including the records of a public library system, indicating the identity of any

SENATE BILL 128

1 individual who borrows or uses the library's documents or other materials, resources,
2 or services may not be disclosed except by court order or to persons acting within the
3 scope of their duties in the administration of the library or library system, to persons
4 authorized by the individual to inspect such records, to parents or guardians of
5 children under the age of 16 as required under sub. (4), or to libraries as authorized
6 under subs. (2) and (3).

7 **SECTION 2.** 43.30 (4) of the statutes is created to read:

8 43.30 (4) Upon the request of a parent or guardian of a child who is under the
9 age of 16, a library supported in whole or part by public funds shall disclose to the
10 parent or guardian all library records relating to the use of the library's documents
11 or other materials, resources, or services by that child.

12 **SECTION 3. Initial applicability.**

13 (1) This act first applies to requests for disclosure that are received by a library
14 on the effective date of this subsection.

15 (END)