2003 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB128)

Received: **11/04/2003**   Received By: **pgrant**

Wanted: **As time permits**   Identical to LRB:

For: **Jon Erpenbach (608) 266-6670**   By/Representing: **Carrie**

This file may be shown to any legislator: **NO**   Drafter: **pgrant**

May Contact: Addl. Drafters:

Subject: **Education - libraries**   Extra Copies: **MJL**

Submit via email: **YES**

Requester's email: **Sen.Erpenbach@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Disclosure of library records

Instructions:

See Attached

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
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FE Sent For:

<END>

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2003 – 2004 LEGISLATURE

(10 am)

LRB-2337/1

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LRBs0248/1

PG:jld

SEN. SUBST. AMDT. —

TO **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.

Regen

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

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SENATE BILL 128   SECTION 1

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 14 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 14, 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 documents

11   or other materials, resources, or services used by that child that are overdue or lost

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)