

ASSEMBLY BILL 169 (LRB -2056)

An Act to amend 43.30 (1); and to create 43.30 (4) of the statutes; relating to: the disclosure of public library records. (FE)
2003

03-18.	A.	Introduced by Representatives Albers, Krawczyk, Bies, Friske, Grothman, Gunderson, Hahn, Hines, Jeskewitz, Ladwig, M. Lehman, Nass, Ott, Owens, Petrowski, Seratti, Stone, Townsend and Van Roy ; cosponsored by Senators Leibham, Cowles, Lazich and Roessler.	
03-18.	A.	Read first time and referred to committee on Children and Families	127
04-03.	A.	Fiscal estimate received.	
04-17.	A.	Public hearing held.	
05-28.	A.	Executive action taken.	
06-03.	A.	Report passage recommended by committee on Children and Families, Ayes 5, Noes 3	232
06-03.	A.	Referred to committee on Rules	232
10-29.	A.	Placed on calendar 11-4-2003 by committee on Rules.	
11-04.	A.	Read a second time	479
11-04.	A.	Placed at the foot of the eleventh order of business on the calendar	479
11-04.	A.	Rules suspended to withdraw from calendar and take up	482
11-04.	A.	Ordered to a third reading	482
11-04.	A.	Refused to suspend rules to read a third time, Ayes 60, Noes 39	482
11-13.	A.	Read a third time and passed , Ayes 68, Noes 28	539
11-13.	A.	Ordered immediately messaged	539
11-13.	S.	Received from Assembly	483
11-13.	S.	Read first time and referred to committee on Judiciary, Corrections and Privacy	483
2004			
01-08.	S.	Executive action taken.	
01-12.	S.	Report concurrence recommended by committee on Judiciary, Corrections and Privacy, Ayes 3, Noes 2	535
01-12.	S.	Available for scheduling.	
02-02.	S.	Placed on calendar 2-3-2004 by committee on Senate Organization.	
02-03.	S.	Read a second time	590
02-03.	S.	Senate amendment 1 offered by Senator Leibham (LRB a1954)	590
02-03.	S.	Senate amendment 1 adopted	590
02-03.	S.	Ordered to a third reading	590
02-03.	S.	Rules suspended	590
02-03.	S.	Read a third time and concurred in as amended, Ayes 20, Noes 13	590
02-03.	S.	Ordered immediately messaged	591
02-09.	A.	Received from Senate amended and concurred in as amended (Senate amendment 1 adopted)	693
02-09.	A.	Referred to committee on Rules	693
02-19.	A.	Placed on calendar 2-24-2004 by committee on Rules.	
02-24.	A.	Assembly amendment 1 to Senate amendment 1 offered by Representative Nass (LRB a2334)	721
02-24.	A.	Assembly amendment 1 to Senate amendment 1 adopted	721
02-24.	A.	Senate amendment 1 concurred in as amended	721
02-24.	A.	Refused to suspend rules to order immediately messaged, Ayes 58, Noes 39	721
03-03.	S.	Received from Assembly: Senate amendment 1 amended and concurred in as amended (Assembly amendment 1 to Senate amendment 1 adopted)	660
03-03.	S.	Available for scheduling.	
03-03.	S.	Placed on calendar 3-4-2004 by committee on Senate Organization.	
03-04.	S.	Assembly amendment 1 to Senate amendment 1 concurred in , Ayes 23, Noes 10	667
03-04.	S.	Ordered immediately messaged	670
03-04.	A.	Received from Senate: Assembly amendment 1 to Senate amendment 1 concurred in	787

2003
ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig Engr SubAmdt

03-20561

Amendments to above (if none, write "NONE"): SAI (as affected
by AAI hereto)

Corrections - show date (if none, write "NONE"): none

Topic relax

3/6/04 [Signature]
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2003 ASSEMBLY BILL 169

March 18, 2003 – Introduced by Representatives ALBERS, KRAWCZYK, BIES, FRISKE, GROTHMAN, GUNDERSON, HAHN, HINES, JESKEWITZ, LADWIG, M. LEHMAN, NASS, OTT, OWENS, PETROWSKI, SERATTI, STONE, TOWNSEND and VAN ROY, cosponsored by Senators LEIBHAM, COWLES, LAZICH and ROESSLER. Referred to Committee on Children and Families.

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

1-2 ASSEMBLY BILL 169

SECTION 1
CUSTODIAL

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). CUSTODIAL SA

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)

**SENATE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 169**

February 3, 2004 - Offered by Senator LEIBHAM.

1-1

1 At the locations indicated, amend the bill as follows:

2 *1m* ~~1.~~ Page 2, line 4: before "parents" insert "custodial".

3 **2.** Page 2, line 8: on lines 8 and 10, delete "parent" and substitute "custodial
4 parent".

5 (END)

1-2

**ASSEMBLY AMENDMENT 1,
TO SENATE AMENDMENT 1,
TO 2003 ASSEMBLY BILL 169**

February 24, 2004 - Offered by Representative NASS.

1 At the locations indicated, amend the amendment as follows:

2 **1.** Page 1, line 1: before that line insert:

3 "1e. Page 1, line 3, after "is" insert "renumbered 43.30 (1m) and".

4 **1m.** Page 1, line 4: delete "(1)" and substitute "(1m)".

5 **2.** Page 1, line 2: substitute "1m" for "1".

6 **3.** Page 1, line 2: after that line insert:

7 "1p. Page 2, line 6: after that line insert:

8 "SECTION 1m. 43.30 (1b) of the statutes is created to read:

9 43.30 (1b) In this section, "custodial parent" includes any parent other than
10 a parent who has been denied periods of physical placement with a child under s.

11 767.24 (4)."

12

(END)