

2003 Assembly Bill 169

Date of enactment: **April 8, 2004**
Date of publication*: **April 22, 2004**

2003 WISCONSIN ACT 207

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

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

SECTION 1. 43.30 (1) of the statutes is renumbered 43.30 (1m) and amended to read:

43.30 (1m) Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library's documents or other materials, resources, or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, to custodial parents or guardians of children under the age of 16 as required under sub. (4), or to libraries as authorized under subs. (2) and (3).

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

43.30 (1b) In this section, "custodial parent" includes any parent other than a parent who has been denied periods of physical placement with a child under s. 767.24 (4).

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

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

SECTION 3. Initial applicability.

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

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].