



## 2015 SENATE BILL 466

December 18, 2015 - Introduced by Senators HARSDORF, GUDEx, KAPENGA, MOULTON, STROEBEL, WANGGAARD, RINGHAND and BEWLEY, cosponsored by Representatives VANDERMEER, ALLEN, BERNIER, E. BROOKS, CZAJA, EDMING, JACQUE, KRUG, KULP, LOUDENBECK, MURPHY, MURSAU, NERISON, A. OTT, PETRYK, RIPP, ROHRKASTE, SWEARINGEN, TITTL and KAHL. Referred to Committee on Elections and Local Government.

1     **AN ACT** *to renumber* 43.30 (1b) (a); and *to create* 43.30 (1b) (ae) and 43.30 (6)  
2             of the statutes; **relating to:** authorizing certain libraries to notify collection  
3             agencies and law enforcement agencies of delinquent accounts.

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### *Analysis by the Legislative Reference Bureau*

Under this bill, a library may report to a collection agency or, subject to a condition, a law enforcement agency, information about delinquent accounts of any individual who borrows from the library or who uses the library's documents, materials, resources, or services, including information about the number and types of overdue materials. A library may report delinquent accounts to a law enforcement agency only if the delinquency is at least \$50. Under the bill, the information that may be so disclosed is limited to the individual's name, contact information, and the amount owed.

Under current law, unless an exception applies, records of a public library that indicate the identity of any person who borrows or uses the library's documents or other materials, resources, or services may not be disclosed. The exceptions are: 1) records disclosed pursuant to a court order; 2) records disclosed to the library's staff acting within the scope of their duties; 3) records disclosed by consent of the subject of the records; 4) records disclosed to a custodial parent of the subject of the records; 5) records disclosed to another public library for purposes of borrowing materials for the subject of the record; and 6) records disclosed to law enforcement officers under certain limited circumstances.

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

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

1           **SECTION 1.** 43.30 (1b) (a) of the statutes is renumbered 43.30 (1b) (ag).

2           **SECTION 2.** 43.30 (1b) (ae) of the statutes is created to read:

3           43.30 **(1b)** (ae) "Collection agency" has the meaning given in s. 218.04 (1) (a).

4           **SECTION 3.** 43.30 (6) of the statutes is created to read:

5           43.30 **(6)** (a) Subject to par. (b) and notwithstanding sub. (1m), a library that  
6 is supported in whole or in part by public funds may report the following information  
7 as provided in par. (c):

8           1. Information about delinquent accounts of any individual who borrows or  
9 uses the library's documents or other materials, resources, or services.

10           2. The number and type of documents or materials that are overdue for each  
11 individual about whom information is submitted under subd. 1.

12           (b) If a public library discloses information as described in par. (a), the  
13 information shall be limited to the individual's name, contact information, and the  
14 amount owed to the library.

15           (c) A library may report the information as described in par. (a) to any of the  
16 following:

17           1. A collection agency.

18           2. A law enforcement agency, but only if the dollar value of the individual's  
19 delinquent account is at least \$50.

20           **SECTION 4. Initial applicability.**

