

2023 Regular Session

HOUSE BILL NO. 25

BY REPRESENTATIVES HOLLIS AND AMEDEE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LIBRARIES: Provides relative to parish and municipal libraries

1 AN ACT

2 To amend and reenact R.S. 25:214(A) and (B) and 215(A), relative to parish and municipal  
3 libraries; to provide relative to library boards of control; to provide relative to the  
4 powers granted to parish and municipal governing authorities with respect to such  
5 libraries and boards; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 25:214(A) and (B) and 215(A) are hereby amended and reenacted  
8 to read as follows:

9 §214. Board of control; members; appointment and terms of office

10 A. The governing authority of the municipality shall, in the ordinance  
11 creating a public library, name and appoint five citizens of the municipality as a  
12 board of control for such public library to serve ~~for terms of one, two, three, four,~~  
13 ~~and five years, the successors of whom shall each be appointed for a term of five~~  
14 ~~years~~ at the pleasure of the governing authority. The mayor of the municipality shall  
15 be ex officio, a member of the board of control of such public library, provided  
16 however that he shall have the right to designate another member of the governing  
17 authority of the municipality to serve in his place and stead on the board of control  
18 of such public library.

19 B. The governing authority of the parish shall, in the ordinance creating a  
20 public library, name and appoint, at its option, not less than five citizens nor more

1 than seven citizens of the parish as a board of control for such parish library to serve  
 2 ~~for terms of one, two, three, four, and five years, the successors of whom shall each~~  
 3 ~~be appointed for a term of five years~~ at the pleasure of the governing authority. The  
 4 president of the police jury shall be ex officio, a member of the board of control for  
 5 such public library, provided however that the president of the police jury shall have  
 6 the right to designate another member of the governing authority of the parish to  
 7 serve in his place and stead on the board of control of such public library.

8 \* \* \*

9 §215. Duties and powers of the board; employment of librarian, assistants, and other  
 10 employees

11 A. The board of control shall meet and organize immediately after their  
 12 appointment and annually thereafter and elect a president, vice-president, secretary,  
 13 and treasurer, whose duties shall be those customarily exercised by such officers.  
 14 The board of control shall have authority to establish rules and regulations for its  
 15 own government and that of the library not inconsistent with ~~law~~ state law or  
 16 ordinances of the governing authority; to elect and employ a librarian, and, upon the  
 17 recommendation and approval of the latter, to employ assistant librarians and other  
 18 employees and fix their salaries and compensation; provided that no contract of  
 19 employment shall be made for a longer period than four years nor with any person  
 20 as head librarian who has not been certified by the State Board of Library Examiners  
 21 as provided in R.S. 25:222. The head librarian may be appointed or elected secretary  
 22 of the board of control. The governing authority has the power to regulate and  
 23 oversee the board of control and its officers, employees, and libraries and may  
 24 conduct such oversight through separate panels, commissions, or boards, which it  
 25 may create for such a purpose.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 25 Original

2023 Regular Session

Hollis

**Abstract:** Grants parish and municipal governing authorities certain powers over local public libraries.

Present law authorizes parish and municipal governing authorities to create, by ordinance, public libraries. Requires parish and municipal governing authorities to create public libraries when petitioned by not less than 25% of the duly qualified property taxpayers of the respective parish or municipality. Further requires parish governing authorities to appoint not less than five nor more than seven citizens of the parish as a board of control and municipal governing authorities to appoint five citizens as a board of control.

Proposed law retains present law.

Present law requires board of control members to serve five-year staggered terms. Proposed law instead provides that members serve at the pleasure of the governing authority.

Present law authorizes the board of control to establish rules and regulations for its own government and that of the library not inconsistent with law.

Proposed law clarifies that the board's rules and regulations cannot be inconsistent with state law and additionally provides that the rules and regulations cannot be inconsistent with ordinances of the parish or municipal governing authority.

Proposed law additionally grants the parish or municipal governing authority the power to regulate and oversee the board of control and its officers, employees, and libraries and to conduct the oversight through separate panels, commissions, or boards, which it may create for that purpose.

(Amends R.S. 25:214(A) and (B) and 215(A))