

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

February 13, 2003

TO: Honorable Harvey Hilderbran, Chair, House Committee on State Cultural and Recreational Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB228 by Keel (Relating to the circumstances in which municipal consent is required for the creation of a library district.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend Section 326.003, Local Government Code, to add to the definition of a municipal public library that the library must be accredited for membership in the state library system. The bill would take effect immediately if approved by a two-thirds vote of all members of both houses; otherwise, it would take effect September 1, 2003. The provisions of the bill would apply only to a library district for which a petition to create the district is filed on or after the effective date.

Local Government Impact

Under current statute, voters may petition to call an election for the creation of a library district and imposition of a local sales tax. The district's boundaries could also include the territory of a municipality that operates a public library if the municipality by resolution consents to its inclusion. Current law does not specify state library accreditation for a public library to be designated a "municipal public library."

The state's library system is composed of 10 regional library districts, which are funded by contract with the Texas State Library and Archives Commission. Nearly every public library in the state is a member of the system and the few that have not qualified are in isolated locations and not near an existing library district. There is no charge for system membership, but there are minimum criteria, including prescribed descriptions of staff, number of volumes, public access minimums, and the amount of public support. The state library estimates there are 12 community public libraries that currently do not qualify for state library membership, but those libraries are not near a library district so would not be affected by provisions of the bill.

Public libraries seeking a "municipal public library" designation could incur costs to meet accreditation requirements. Those costs would vary, but are not expected to be significant.

Source Agencies: 304 Comptroller Of Public Accounts

LBB Staff: JK, CL, JB, DLBa