
DIGEST

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HB 848 Engrossed

2024 Regular Session

Jackson

Abstract: Authorizes parish governing authorities to exercise budgetary and fiscal control over public libraries created by the respective governing authority.

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.

Present law authorizes the governing authority to submit a proposition to the property taxpayers to vote a special tax for the maintenance and support of the library and its branches. Requires the governing authority to submit such a proposition to the voters when requested by a petition of not less than 25% of the duly qualified property taxpayers resident.

Proposed law retains present law and additionally authorizes parish governing authorities to exercise budgetary and fiscal control over any library created by the respective governing authority. Provides that budgetary and fiscal control includes the authority to approve, disapprove, or amend a budget adopted by the respective library board of control and also includes powers specifically granted by present law (R.S. 33:1415(B)), which include the authority to approve operating budgets. Requires parish governing authorities to comply with the provisions of the Local Government Budget Act (R.S. 39:1301 et. seq).

Present law requires library boards of control to appoint officers and authorizes the board to establish rules and regulations for its own government and that of the library not inconsistent with law, including the power to elect and employ a librarian and to employ assistant librarians and other employees, subject to approval of the librarian, and to fix their salaries and compensation.

Proposed law retains present law with respect to libraries created by municipal governing authorities, but provides that the salaries and compensation for parish library employees shall be subject to budgetary and fiscal control exercised by the respective parish governing authority pursuant to proposed law.

Present law requires parish and municipal governing authorities to pay, on a monthly basis, the expenses or costs of maintenance of the library, including the salaries of librarian, assistants, and other employees as well as all other incidental expenses, subject to approval by the board of control.

Requires that the expenses or costs be paid out of the funds specially budgeted from the general fund for library purposes, or out of the special taxes levied and collected by the governing authority for the library's support and maintenance.

Proposed law retains present law with respect to libraries created by municipal governing authorities, but provides that the expenses and maintenance costs of parish libraries, including the salaries of library employees, shall be subject to budgetary and fiscal control exercised by the respective parish governing authority pursuant to proposed law.

Effective July 1, 2024.

(Amends R.S. 25:215(A) and 220; Adds R.S. 25:220.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Remove provisions that limit the applicability of proposed law to certain parishes, thereby making proposed law applicable to all parishes.