

- SUBJECT:** Requiring certain public libraries to offer high-speed Internet access
- COMMITTEE:** Urban Affairs — committee substitute recommended
- VOTE:** 6 ayes — Bailey, Murphy, Cohen, Latham, Mallory Caraway, Martinez Fischer
0 nays
1 absent — Menendez
- WITNESSES:** For — Gloria Meraz, Texas Library Association
Against — None
On — Edward Seidenberg, Texas State Library and Archives Commission
- BACKGROUND:** Government Code, sec. 441.127 specifies that a library must meet accreditation standards set by the Texas State Library and Archives Commission (TSLAC) to be eligible for membership in a major resource system or regional library system. Accredited libraries are eligible for state grants and other resources designed to improve library services and materials.

Texas Administrative Code, title 13, part 1, ch. 1, subch. C, lays out minimum standards for accreditation of libraries in the state library system. The standards encompass a number of criteria, including per-capita expenditures, weekly operating hours, number of full-time librarians, and per-capita library materials provided.
- DIGEST:** HB 239 would add Government Code sec. 331.127(d) to require that TSLAC adopt accreditation standards requiring a public library with an assigned service area of more than 50,000 residents provide computers with high-speed Internet access for public use.

The bill would take effect September 1, 2007.

**SUPPORTERS
SAY:**

CSHB 239 would help ensure the availability of important technology resources in public libraries that serve mid-size and larger communities. Access to computers with high-speed Internet access is critical to many activities, such as acquiring reading materials, conducting research, and participating in civic and political life. Public libraries play a valuable role in the community by providing free computer time and high-speed Internet connections to residents who may not otherwise have access to these resources, especially in low-income areas.

By ensuring the availability of well-equipped computers in many communities, CSHB 239 would underscore the state's interest in supporting public access to the modern information infrastructure. Fast, free access to information on the Internet helps the state and its residents remain competitive in the modern workforce.

Establishing public access to technology resources as a state priority would support the efforts of libraries to secure funding, including applications for the many public and private grants available to libraries for computers and related services. CSHB 239 would provide a strong basis from which libraries could seek private and public funding in the future.

CSHB 239 represents a measured and reasonable step toward greater community access to critical information resources. By relying on the existing accreditation process in place for public libraries and by limiting the bill's scope to mid-size and larger communities, CSHB 239 would impose manageable standards upon libraries that have the budgetary capacity to make any necessary upgrades.

**OPPONENTS
SAY:**

CSHB 239 would impose a mandate on certain community libraries without offering compensatory funding. Texas libraries always are in need of additional resources, and branches that have the funding to provide high-speed Internet access do so currently. According to the Legislative Budget Board, a library could expect to pay as much as \$800 for each basic computer, and the monthly fee for high-speed Internet services costs \$40 on average. These figures do not include costs associated with necessary maintenance and technical assistance required to set up and repair computers and associated services. At the very least, libraries that fall under the requirements of this bill should be able to charge a reasonable fee in return for providing high-speed Internet services.

The current accreditation process requires libraries to make good use of available resources. Existing accreditation standards require libraries to provide Internet access. Any additional criteria, such as offering high-speed Internet access, should be adopted as part of the administrative rules process with careful attention paid to the fiscal impact.

**OTHER
OPPONENTS
SAY:**

CSHB 239 would not go far enough to address the relative supply and demand of high-speed Internet resources. Rather than linking the requirement for high-speed Internet access to service-area size, TSLAC accreditation standards should require more computer and Internet resources for communities that demonstrate greater need.

NOTES:

The bill as introduced would have applied to libraries in municipalities with more than 50,000 residents, while the committee substitute would apply to libraries with service areas of this size. The bill as introduced also would have allowed libraries to charge a reasonable fee for use of the high-speed Internet-enabled computers.

The House Urban Affairs Committee originally sent HB 239 to the Local and Consent Calendars Committee, which transferred the bill to the Calendars Committee.