Senate Research Center
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H.B. 2902
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, certain municipalities have the authority to adopt rules for the proper management of a free municipal library, including providing for the recovery of unreturned library property and unpaid library fees and fines. Interested parties contend that, while certain law provides for the establishment and maintenance of county libraries, a county's ability to address the problem of unreturned library property and unpaid library fines is limited and they point to the Brazoria County libraries' use of credit agencies as their final recourse as an example of this limitation.

H.B. 2902 amends current law relating to lost, damaged, or overdue county library property, authorizes fines, and authorizes a civil penalty.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 323, Local Government Code, by adding Subchapter D, as follows:

SUBCHAPTER D. LIBRARY FINES; CIVIL PENALTY

Sec. 323.071. LIBRARY FINES. (a) Authorizes the commissioners court by order to establish reasonable fines to be collected by a county library for lost, damaged, or overdue library property.

(b) Requires that the fines be deposited in the county free library fund.

Sec. 323.072. ABUSE OF COUNTY LIBRARY SERVICES. (a) Authorizes the commissioners court by order to adopt reasonable regulations that prohibit a person from abusing library services by intentionally failing to pay a library fine or return library property.

(b) Provides that a person who violates a regulation adopted by the county under this section is liable to the county for a civil penalty of not more than $100 for each violation. Authorizes a county to bring suit in a district or county court to recover a civil penalty authorized by this subsection.

SECTION 2. Effective date: September 1, 2013.