

ACT 141

S.B. NO. 1232

A Bill for an Act Relating to the State Library System.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 312-2.1, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

- “(d) The state librarian shall:
- (1) ~~[collect,]~~ Collect, purchase, receive gifts of, and otherwise acquire all books and other publications proper for libraries, and arrange, classify, manage, and catalog the same;
 - (2) ~~[provide]~~ Provide for ~~[their]~~ safekeeping~~[:]~~ of the foregoing;
 - (3) ~~[expend]~~ Expend moneys appropriated by the legislature and otherwise acquired for the development, use, support, and maintenance of libraries and other related purposes;
 - (4) ~~[provide]~~ Provide ways and means for placing libraries within reach of all residents throughout the State and particularly of all public and private school children;
 - (5) ~~[provide]~~ Provide and maintain branch libraries, offices, or places for the distribution of books and periodicals throughout the State;
 - (6) ~~[enter]~~ Enter into contracts as may be necessary to carry into effect the general duties herein imposed;
 - (7) ~~[appoint such]~~ Appoint officers and employees as deemed necessary, all of whom shall be under the authority of the governor for purposes of chapters 76, 78, 89, and 89C; ~~[and]~~
 - (8) Impose and collect rates, rents, fees, fines, and charges for the use or enjoyment and services of the facilities of each state library facility; provided that the contracting for concessions within a library facility shall not be subject to section 102-14;
 - (9) Revise rates, rents, fees, fines, and charges imposed pursuant to paragraph (8) upon approval of the board of education; and
 - (10) ~~[adopt]~~ Adopt rules for the management and use of libraries, and for the control of the property under its management.”

SECTION 2. Section 312-4.6, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

“(d) ~~[The]~~ Without regard to chapter 91, the state librarian shall prescribe the procedures relating to:

- (1) The charging of fees;
- (2) The waiver of fees;
- (3) The documents, materials, and services for which fees may be charged;
- (4) The amount of the fees that may be assessed and charged to a library patron;
- (5) The accumulated amount of lost library material costs, fines, or fees;
- (6) The period of time that the lost library materials costs, fines, or fees ~~[must]~~ shall remain unpaid before they may be referred to a collection agency for collection ~~[pursuant to rules adopted under chapter 91];~~ and
- (7) The notification of persons ~~[with]~~ having delinquent accounts of the additional fees to be charged by the collection agency prior to the referral to the collection agency.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval; provided that on June 30, 2028, this Act shall be repealed and sections 312-2.1 and 312-4.6, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day before the effective date of this Act.

(Approved June 29, 2023.)