

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3115

By: Gann

AS INTRODUCED

An Act relating to public libraries; enacting the "Opposition to Marxism and Defense of Oklahoma Children Act of 2024"; prohibiting tax-funded library entities from participating in certain associations; providing definition; amending 65 O.S. 2021, Section 2-106, which relates to duties and powers of the Department of Libraries Board; modifying duties; amending 65 O.S. 2021, Section 3-103, which relates to the director and assistant director offices of the Department of Libraries; modifying required credentials; amending 65 O.S. 2021, Section 4-106, which relates to appointments of librarians in public library systems; modifying required credentials; amending 65 O.S. 2021, Section 4-206, which relates to appointments of librarians in rural single county library systems; modifying required credentials; amending 65 O.S. 2021, Section 156, which relates to appointments of librarians in city-county library systems; modifying required credentials; amending 65 O.S. 2021, Section 556, which relates to appointments of librarians of metropolitan library systems; modifying required credentials; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9 of Title 65, unless there is created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Opposition to  
2 Marxism and Defense of Oklahoma Children Act of 2024".

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 9.1 of Title 65, unless there is  
5 created a duplication in numbering, reads as follows:

6 Tax-funded library entities operating in this state shall not  
7 participate in any association with a full-time employee count of  
8 less than one hundred Oklahoma residents. For the purposes of this  
9 act, association shall mean an organization that "principle  
10 supports, promotes, or develops libraries and library services."

11 SECTION 3. AMENDATORY 65 O.S. 2021, Section 2-106, is  
12 amended to read as follows:

13 Section 2-106. The Oklahoma Department of Libraries Board shall  
14 be the supervisory and policymaking body of the Department and  
15 shall:

16 (a) Appoint the Director, who shall possess the qualifications  
17 specified by Section 3-103 of this title, and shall hold office at  
18 the pleasure of the Board;

19 (b) Formulate the general policies of the Oklahoma Department of  
20 Libraries, in consultation with the Director;

21 (c) Review and approve the budget requests for the Department;

22 (d) Formulate standards for public and special libraries in  
23 consultation with the Director and his staff, ~~and with the Oklahoma~~  
24 ~~Library Association;~~  
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1 (e) Utilize such standards as guidelines in accreditation of  
2 public libraries and library systems;

3 (f) Utilize such standards and accreditation as guidelines in  
4 approval of apportionment of state funds of federal funds such as  
5 may be administered by a state agency to public libraries, library  
6 systems and special libraries and their use of such funds;

7 (g) Serve as an appeal board in the execution of the Library  
8 Services Construction Act, 20 U.S.C. Section 351(1991), including  
9 any amendments thereto, and any similar federal legislative acts  
10 requiring such services;

11 (h) Approve the formation of library systems and designate areas  
12 for library districts;

13 ~~(i) Maintain liaison with the Oklahoma Library Association;~~

14 ~~(j)~~ Assist in communicating the goals, plans, budgets and work  
15 of the Department to executive, judicial and legislative officials,  
16 and to the public;

17 ~~(k)~~ (j) Provide for the certification of public librarians;

18 ~~(l)~~ (k) Establish a formula for the equitable apportionment of  
19 monies from the Oklahoma Local Library Support Revolving Fund; and

20 ~~(m)~~ (l) Promulgate such rules as may be necessary to carry out  
21 the intent and purposes of this act.

22 SECTION 4. AMENDATORY 65 O.S. 2021, Section 3-103, is  
23 amended to read as follows:

1 Section 3-103. The offices of Director and Assistant Director  
2 are hereby created. The Director shall be appointed by the Board on  
3 the basis of merit and appropriate experience, ~~shall possess a~~  
4 ~~library degree from a library school accredited by the American~~  
5 ~~Library Association~~ and shall serve at the pleasure of the Board.  
6 The Assistant Director shall be appointed by the Director, with the  
7 approval of the Board, and shall be subject to the same  
8 qualifications as herein specified for the Director. The Director  
9 shall be the State Librarian and the State Archivist, which offices  
10 are hereby created.

11 SECTION 5. AMENDATORY 65 O.S. 2021, Section 4-106, is  
12 amended to read as follows:

13 Section 4-106. (a) The system board shall appoint a librarian  
14 of the library system on the basis of merit and experience. ~~Such~~  
15 ~~librarian shall be a graduate of a library school accredited by the~~  
16 ~~American Library Association.~~ The librarian shall be the  
17 administrative, executive and supervisory officer of the library and  
18 secretary to the system board. The librarian shall serve at the  
19 discretion of the system board.

20 (b) The librarian may appoint and remove staff members and other  
21 employees.

22 (c) The system board may establish or participate in employee  
23 retirement and health insurance programs either for the exclusive  
24 benefit of its staff or jointly and, in conjunction with city,

1 county, state, or other retirement systems, may expend upon  
2 authorization of the board funds allocated by the board for such  
3 purposes.

4 SECTION 6. AMENDATORY 65 O.S. 2021, Section 4-206, is  
5 amended to read as follows:

6 Section 4-206. A. The rural single county library system board  
7 shall appoint a librarian of the library system on the basis of  
8 merit and experience. ~~In counties with a population of twenty  
9 thousand (20,000) or more, the librarian shall be a graduate of a  
10 library school accredited by the American Library Association. In  
11 counties with a population of less than twenty thousand (20,000),  
12 during the first two (2) years after formation of a system the board  
13 may appoint a librarian who is not a graduate of a library school  
14 accredited by the American Library Association; provided, within  
15 five (5) years of formation of the system the librarian must  
16 graduate from a library school accredited by the American Library  
17 Association in order to continue as librarian. Subsequent  
18 librarians appointed in counties with a population of less than  
19 twenty thousand (20,000) must be graduates at the time of  
20 appointment of a library school accredited by the American Library  
21 Association.~~

22 B. The librarian shall be the administrative, executive and  
23 supervisory officer of the library and secretary to the system  
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1 board. The librarian shall serve at the discretion of the system  
2 board.

3 C. The librarian may appoint and remove staff members and other  
4 employees.

5 D. The librarian and other employees of the system board may  
6 participate in employee retirement and health insurance programs  
7 offered by the county for county employees or the state for state  
8 employees. The costs of employee participation in the county or  
9 state programs shall be paid by the system board from library funds.

10 SECTION 7. AMENDATORY 65 O.S. 2021, Section 156, is  
11 amended to read as follows:

12 Section 156. The commission shall appoint a librarian of the  
13 city-county library system on the basis of merit and experience.  
14 ~~Such librarian shall be a graduate of a library school accredited by~~  
15 ~~the American Library Association.~~ The librarian shall serve at the  
16 discretion of the commission. The librarian may appoint and remove  
17 staff members and other employees, subject to the approval of the  
18 commission.

19 SECTION 8. AMENDATORY 65 O.S. 2021, Section 556, is  
20 amended to read as follows:

21 Section 556. The commission shall appoint a librarian of the  
22 metropolitan library system on the basis of merit and experience.  
23 ~~Such librarian shall be a graduate of a library school accredited by~~  
24 ~~the American Library Association.~~ The librarian shall serve at the  
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1 discretion of the commission. The librarian may appoint and remove  
2 staff members and other employees, subject to the approval of the  
3 commission.

4 SECTION 9. This act shall become effective November 1, 2024.

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