

CHAPTER 172
FORMERLY
HOUSE BILL NO. 131

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIBRARIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 6602, Title 29 of the Delaware Code by deleting existing subsections (b), (c) and (d) in their entirety and inserting in lieu thereof the following:

“(b) The formula for services purchased by the Division of Libraries shall be as follows for fiscal year 2012 and in each succeeding fiscal year:

- (1) 40% of the total funds appropriated under this chapter shall be allocated among each of the contracting public libraries based upon actual expenditures, exclusive of state or federal funds, for public library services by such contracting public library and by the political subdivision or subdivisions operating or participating in the public library or public library system in the most recently completed fiscal year or in the case of a newly-constructed or renovated public library project based upon expenditures in the current fiscal year subject to adjustment for actual expenditures at fiscal year end, as determined by the Division of Libraries and Delaware Council on Libraries; and
- (2) 40% of the total funds appropriated under this chapter shall be allocated among each of the contracting public libraries on a per capita basis for persons served by the public library or public library system as determined by the Division of Libraries with the approval of the Council on Libraries; and
- (3) 10% of the total funds appropriated under this chapter shall be allocated to the Division of Libraries to fund statewide library services, cooperative planning and evaluation services, and to enable public libraries and public library systems to meet standards established by the Division of Libraries with the approval of the Council on Libraries; and
- (4) Up to 10% of the total funds appropriated under this chapter may be allocated to fund countywide and/or regional public library services provided through anchor public libraries approved by the Division of Libraries and Council on Libraries. The Division of Libraries may with the approval of the Council on Libraries use any portion of the funds set aside pursuant to this subsection to temporarily assist a contracting public library impacted by changes to the funding allocations as a result of a decennial census or the addition or expansion of a contracting public library. Any funds not allocated under this subsection shall be distributed to the contract public libraries on the same pro-rata basis as funds are allocated pursuant to subsections (1) and (2) of this section to enable contract public libraries to improve collections, staffing or other priorities as mutually agreed by each public library and the Division of Libraries with the approval of the Council on Libraries.”.

Approved August 16, 2011