

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Local Library Act is amended by
5 changing Section 4-7 as follows:

6 (75 ILCS 5/4-7) (from Ch. 81, par. 4-7)

7 Sec. 4-7. Each board of library trustees of a city,
8 incorporated town, village or township shall carry out the
9 spirit and intent of this Act in establishing, supporting and
10 maintaining a public library or libraries for providing
11 library service and, in addition to but without limiting other
12 powers conferred by this Act, shall have the following powers:

13 1. To make and adopt such bylaws, rules and
14 regulations, for their own guidance and for the government
15 of the library as may be expedient, not inconsistent with
16 this Act;

17 2. To have the exclusive control of the expenditure of
18 all moneys collected for the library and deposited to the
19 credit of the library fund;

20 3. To have the exclusive control of the construction
21 of any library building and of the supervision, care and
22 custody of the grounds, rooms or buildings constructed,
23 leased or set apart for that purpose;

1 4. To purchase or lease real or personal property, and
2 to construct an appropriate building or buildings for the
3 use of a library established hereunder, using, at the
4 board's option, contracts providing for all or part of the
5 consideration to be paid through installments at stated
6 intervals during a certain period not to exceed 20 years
7 with interest on the unpaid balance at any lawful rate for
8 municipal corporations in this State, except that
9 contracts for installment purchases of real estate shall
10 provide for not more than 75% of the total consideration
11 to be repaid by installments, and to refund at any time any
12 installment contract entered into pursuant to this
13 paragraph by means of a refunding loan agreement, which
14 may provide for installment payments of principal and
15 interest to be made at stated intervals during a certain
16 period not to exceed 20 years from the date of such
17 refunding loan agreement, with interest on the unpaid
18 principal balance at any lawful rate for municipal
19 corporations in this State, except that no installment
20 contract or refunding loan agreement for the same property
21 or construction project may exceed an aggregate of 20
22 years;

23 5. To remodel or reconstruct a building erected or
24 purchased by the board, when such building is not adapted
25 to its purposes or needs;

26 6. To sell or otherwise dispose of any real or

1 personal property that it deems no longer necessary or
2 useful for library purposes, and to lease to others any
3 real property not immediately useful but for which plans
4 for ultimate use have been or will be adopted but the
5 corporate authorities shall have the first right to
6 purchase or lease except that in the case of the City of
7 Chicago, this power shall be governed and limited by the
8 Chicago Public Library Act;

9 7. To appoint and to fix the compensation of a
10 qualified librarian, who shall have the authority to hire
11 such other employees as may be necessary, to fix their
12 compensation, and to remove such appointees, subject to
13 the approval of the board, but these powers are subject to
14 Division 1 of Article 10 of the Illinois Municipal Code in
15 municipalities in which that Division is in force. The
16 board may also retain counsel and professional consultants
17 as needed;

18 8. To contract with any public or private corporation
19 or entity for the purpose of providing or receiving
20 library service or of performing any and all other acts
21 necessary and proper to carry out the responsibilities,
22 the spirit, and the provisions of this Act. This
23 contractual power includes, but is not limited to,
24 participating in interstate library compacts and library
25 systems, contracting to supply library services, and
26 expending of any federal or State funds made available to

1 any county, municipality, township or to the State of
2 Illinois for library purposes. However, if a contract is
3 for the supply of library services for residents without a
4 public library established under the provisions of this
5 Act, the terms of that contract will recognize the
6 principle of equity or cost of services to non-residents
7 expressed in this Section of this Act, and will provide
8 for the assumption by the contracting party receiving the
9 services of financial responsibility for the loss of or
10 damage to any library materials provided to non-residents
11 under the contract;

12 9. To join with the board or boards of any one or more
13 libraries in this State in maintaining libraries, or for
14 the maintenance of a common library or common library
15 services for participants, upon such terms as may be
16 agreed upon by and between the boards;

17 10. To enter into contracts and to take title to any
18 property acquired by it for library purposes by the name
19 and style of "The Board of Library Trustees of the (city,
20 village, incorporated town or township) of" and by
21 that name to sue and be sued;

22 11. To exclude from the use of the library any person
23 who wilfully violates the rules prescribed by the board;

24 12. To extend the privileges and use of the library,
25 including the borrowing of materials on an individual
26 basis by persons residing outside of the city,

1 incorporated town, village, or township. If the board
2 exercises this power, the privilege of library use shall
3 be upon such terms and conditions as the board shall from
4 time to time by its regulations prescribe, and for such
5 privileges and use, the board shall charge a nonresident
6 fee at least equal to the cost paid by residents of the
7 city, incorporated town, village or township, with the
8 cost to be determined according to the formula established
9 by the Illinois State Library. Costs paid by persons
10 residing outside of the city, incorporated town, village,
11 or township may be paid quarterly or biannually if
12 permitted by board regulations. A person residing outside
13 of a public library service area must apply for a
14 non-resident library card at the public library located
15 closest to the person's principal residence. The
16 nonresident cards shall allow for borrowing privileges at
17 all participating public libraries in the regional library
18 system. The nonresident fee shall not apply to: privilege
19 and use provided under the terms of the library's
20 membership in a library system operating under the
21 provisions of the Illinois Library System Act, under the
22 terms of any reciprocal agreement with a public or private
23 corporation or entity providing a library service; a
24 nonresident who as an individual or as a partner,
25 principal stockholder, or other joint owner owns or leases
26 property that is taxed for library service or is a senior

1 administrative officer of a firm, business, or other
2 corporation owning taxable property within the city,
3 incorporated town, village or township upon the
4 presentation of the most recent tax bill upon that taxable
5 property or a copy of the commercial lease of that taxable
6 property; or a nonresident in an unincorporated area in
7 Illinois who is a student whose household falls at or
8 below the U.S. Department of Agriculture's Income
9 Eligibility Guidelines. The board may adopt regulations
10 waiving the nonresident fee for persons under the age of
11 18;

12 13. To exercise the power of eminent domain subject to
13 the prior approval of the corporate authorities under
14 Sections 5-1 and 5-2 of this Act;

15 14. To join the public library as a member and to join
16 the library trustees as members in the Illinois Library
17 Association and the American Library Association,
18 non-profit, non-political, 501(c)(3) associations, as
19 designated by the federal Internal Revenue Service, having
20 the purpose of library development and librarianship; to
21 provide for the payment of annual membership dues, fees
22 and assessments and act by, through and in the name of such
23 instrumentality by providing and disseminating information
24 and research services, employing personnel and doing any
25 and all other acts for the purpose of improving library
26 development;

1 15. To invest funds pursuant to the Public Funds
2 Investment Act; and

3 16. To accumulate and set apart as reserve funds
4 portions of the unexpended balances of the proceeds
5 received annually from taxes or other sources, for the
6 purpose of providing self-insurance against liabilities
7 relating to the public library.

8 (Source: P.A. 101-632, eff. 6-5-20; 102-843, eff. 5-13-22.)

9 Section 10. The Public Library District Act of 1991 is
10 amended by changing Section 30-55.60 as follows:

11 (75 ILCS 16/30-55.60)

12 Sec. 30-55.60. Use of library by nonresidents. The board
13 may extend the privileges and use of the library, including
14 the borrowing of materials on an individual basis by persons
15 residing outside the district. If the board exercises this
16 power, the privilege of library use shall be upon terms and
17 conditions prescribed by the board in its regulations. The
18 board shall charge a nonresident fee for the privileges and
19 use of the library at least equal to the cost paid by residents
20 of the district, with the cost to be determined according to
21 the formula established by the Illinois State Library. Costs
22 paid by persons residing outside of the district may be paid
23 quarterly or biannually if permitted by board regulations. A
24 person residing outside of a public library service area must

1 apply for a non-resident library card at the public library
2 closest to the person's principal residence. The nonresident
3 cards shall allow for borrowing privileges at all
4 participating public libraries in the regional library system.
5 The nonresident fee shall not apply to any of the following:

6 (1) Privileges and use provided (i) under the terms of
7 the district's membership in a library system operating
8 under the provisions of the Illinois Library System Act or
9 (ii) under the terms of any reciprocal agreement with a
10 public or private corporation or entity providing a
11 library service.

12 (2) Residents of an area in which the library is
13 conducting a program for the purpose of encouraging the
14 inclusion of the area in the library district.

15 (3) A nonresident who, as an individual or as a
16 partner, principal stockholder, or other joint owner, owns
17 or leases property that is taxed for library service or is
18 a senior administrative officer of a firm, business, or
19 other corporation owning taxable property within the
20 district, upon presentation of the most recent tax bill
21 upon that taxable property or a copy of the commercial
22 lease of that taxable property.

23 (4) A nonresident in an unincorporated area in
24 Illinois who is a student whose household falls at or
25 below the U.S. Department of Agriculture's Income
26 Eligibility Guidelines.

1 The board may adopt regulations waiving the nonresident
2 fee for persons under the age of 18.

3 (Source: P.A. 101-632, eff. 6-5-20; 102-843, eff. 5-13-22.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.