



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	22-1326	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	County Administration - Libraries Division
<b>On agenda:</b>	10/11/2022	<b>Final action:</b>	10/11/2022
<b>Title:</b>	<p>A. MOTION TO APPROVE and support a new fine free initiative for the Broward County Libraries Division, eliminating the assessment and collection of overdue fines to provide financial relief to Broward County Libraries customers, and to encourage the public's use of Library resources; and authorize Libraries Division Director to cancel overdue fines that have been assessed per the Administrative Code, Section 37.11 "Extended Loan Charges and Loan Periods," to provide financial relief to Broward County Library card holders.</p> <p>(Commissioner Furr pulled this item from the Consent Agenda.)</p> <p>ACTION: (T-10:57 AM) Approved. (Refer to minutes for full discussion.)</p> <p>VOTE: 7-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Moskowitz was not present.</p> <p>B. MOTION TO WAIVE Administrative Code Section 37.11 "Extended Loan Charges and Loan Periods," for Fiscal Year 2023.</p> <p>(Commissioner Furr pulled this item from the Consent Agenda.)</p> <p>ACTION: (T-10:57 AM) Approved. (Refer to minutes for full discussion.)</p> <p>VOTE: 7-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Moskowitz was not present.</p>		
<b>Sponsors:</b>			
<b>Indexes:</b>	Established Commission Goals		
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit 1 - Report on Overdue Fines-Syracuse University		

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Monica Cepero

**Department:** County Administration

**Division:** Libraries

### Information

#### Requested Action

A. MOTION TO APPROVE and support a new fine free initiative for the Broward County Libraries Division, eliminating the assessment and collection of overdue fines to provide financial relief to Broward County Libraries customers, and to encourage the public's use of Library resources; and authorize Libraries Division Director to cancel overdue fines that have been assessed per the Administrative Code, Section 37.11 "Extended Loan Charges and Loan Periods," to provide financial

relief to Broward County Library card holders.

***(Commissioner Furr pulled this item from the Consent Agenda.)***

***ACTION: (T-10:57 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 7-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Moskowitz was not present.***

B. MOTION TO WAIVE Administrative Code Section 37.11 “Extended Loan Charges and Loan Periods,” for Fiscal Year 2023.

***(Commissioner Furr pulled this item from the Consent Agenda.)***

***ACTION: (T-10:57 AM) Approved. (Refer to minutes for full discussion.)***

***VOTE: 7-0. Commissioner Bogen voted in the affirmative telephonically. Commissioner Moskowitz was not present.***

**Why Action is Necessary**

Board approval is necessary to approve new initiatives, to authorize the Libraries Division Director to cancel existing overdue fines and to waive the Administrative Code.

**What Action Accomplishes**

Approval of Motion A will allow the Broward County Libraries Division to initiate a fine free initiative for Library materials returned after the due date and will authorize the Libraries Division Director to cancel overdue fines assessed to Broward County Library customers and restore their borrowing privileges.

Approval of Motion B will waive the application of Administrative Code, Section 37.11 “Extended Loan Charges and Loan Periods,” effective in Fiscal Year 2023.

**Is this Action Goal Related**

Yes

**Previous Action Taken**

None

**Summary Explanation/Background**

THE LIBRARIES DIVISION RECOMMENDS APPROVAL OF THE ABOVE MOTIONS.

This item supports the Commission’s Value in cultivating community culture, arts, recreation, and life-long learning.

This item supports the Broward County Library’s approved mission statement per Administrative Code Section 13.81.c, to provide convenient access to a full range of innovative and cost-effective services that satisfy the changing needs of the people of Broward County for information, education, and recreation.

Broward County's support for the fine free initiative will allow the Libraries Division to join a growing list of libraries across the U.S. who are no longer charging overdue fines for library materials that are returned late. The Libraries Division will continue to protect the public's investment in library materials and encourage the return of library materials through continuing the assessment of replacement costs, in accordance with Administrative Code Section 37.10, for those library materials that are either unreturned or damaged.

The awareness of public libraries going fine free is beginning to gain traction among Broward Library card account holders. Particularly, as our neighbors to the north (Palm Beach County) and south (Miami-Dade County) have implemented fine free initiatives in 2019 and 2018, respectively. Syracuse University School of Information Studies published an April 2020 report "Overdue Fines: Advantages, Disadvantages, and How Eliminating Them Can Benefit Public Libraries" (Exhibit 1) that illustrates the community benefits of implementing fine free initiatives. Libraries including San Francisco and Chicago have observed the inverse relationship that exists between assessing fines and library usage. The general finding is that when the potential for penalties is eliminated, library usage increases overall.

Public libraries are a unique service that offer equitable access to everyone. Late or overdue fines have created barriers that discourage people from using library resources. Furthermore, library fines are disproportionately punitive to customers that are low-income, living below the poverty line, or experiencing homelessness which creates a barrier to equitable access to information. In eliminating overdue fines Broward County will encourage all users to come back to the Library, as well as attract new users to experience our resources, services, programs, and offerings. Implementing this fine free initiative ensures that access to the Library is not based on ability to pay.

Administrative Code Section 37.11 established Extended Loan Charges and Loan Periods (overdue fines); these fines are not mandated by State Statute but are adopted locally. The assessment of overdue fines has sharply decreased since the COVID-19 pandemic. Annually in 2017, 2018, and 2019, the Libraries Division assessed late fines in the average amount of \$1,279,798. Annually in 2020, 2021, and 2022, the Division assessed an average of \$283,267 in late fines. Accordingly, the vast majority of the estimated \$2,600,000 in late fines assessed to Broward County Library account holders are more than three years old and are highly unlikely to be collected. Currently, 294,000 library card accounts have unpaid late fines; of those accounts, only 170 have been assessed more than \$150. The Board's approval to authorize the Libraries Division Director to cancel the existing late fines will provide Broward's residents a clean slate and encourage greater usage of the Library's resources.

Libraries Division staff are working with the County Attorney's Office to prepare a Public Hearing item for the Board to consider updates to the Administrative Code Sections 37.10, 37.11, and 37.12, pertaining to the Division.

#### **Source of Additional Information**

Allison Grubbs, Director, Libraries Division, 954-357-7377

#### **Fiscal Impact**

##### **Fiscal Impact/Cost Summary**

No fiscal impact.