

FAQ – HB 2243, Public Library Definition

1. What is the current definition of a “public library” in Oregon?

Currently, a public library is defined as a “public agency responsible for providing and making accessible to all residents of a local government unit library and information services suitable to persons of all ages” {ORS 357.400(3)}.

More colloquially, a public library is one that the general public within a local government unit (e.g. city, county, special district, etc.) can use. Because they serve all resident, public libraries tend to carry materials on a wide variety of topics and provide services to meet a wide variety of needs. These functions contrast with K-12 school libraries, which have collections and services tailored to their students and teachers and typically are not open to the general public; academic libraries, which have collections and services tailored to their students and faculty and, in the case of private universities, may not be open to the general public; and county law libraries, which are open to the public but specifically focus on legal matters.

2. What is wrong with the current definition?

ORS 357.400 does not define “library and information services suitable to persons of all ages”. HB 2243 bill seeks to define that phrase to help ensure that all Oregonians served by a public library have access to a minimal but important set of services.

When an Oregonian walks in to a public library, they deserve to have access to certain services. There should be Internet access, including WiFi. There should be services to encourage early literacy. There should be a collection of materials that is curated and actively managed to ensure that it meets the needs of the community. And there should actually be a physical location that is accessible and has public open hours. The current definition requires none of these things. Oregonians should – and do - expect more from their public libraries. HB 2243 helps ensure that if an Oregonian walks into any public library in the state, they can be guaranteed that a certain level of core services are provided.

3. What will the requirements be?

Specific requirements will be determined by the State Library Board through the rulemaking process. However, provisions likely will include having a facility, public open hours, a curated collection, early literacy services, Internet access (including WiFi, if Internet speeds are sufficient in the area), and level of support from a public entity (cash and in-kind).

Having defined requirements is particularly important at this point in Oregon’s library development. In 2017, Douglas County closed all of their public libraries. Some communities in Douglas County have reopened their public libraries, including the newly-created Roseburg Public Library, North Douglas Library District (Drain), and the Lower Umpqua Library District (Reedsport). Having defined standards will help other communities in Douglas County and throughout the state who are trying to open or reopen public libraries.

4. Why is the State Library Board the rulemaking authority?

The State Library Board already has rulemaking authority over several matters affecting libraries statewide, including the Ready to Read grant program, recognition of legally-established public libraries within the state, and the State Documents Depository Program. They are backed by the State Librarian and other staff at the State Library, who have a birds-eye view of all public libraries in the state through their work in early literacy, technology, statewide database licensing, and statistics gathering.

5. What impact will this bill have on current public libraries?

Most of Oregon's over 130 public libraries will be impacted positively by the legislation. Oregonians will know that, if they walk into a public library anywhere in the state, they can be assured of having access to certain critical library services. Such assurance raises the profile of public libraries generally.

Libraries that do not meet the standards will not be considered a public library under Oregon law. Such entities will be ineligible to receive the annual Ready to Read grant.

Some current public libraries may not meet the standards defined by the State Library Board. In many cases, these libraries are in small communities that lack the resources to, say, have many public open hours or paid staff. For this reason, HB 2243 specifically states that the State Library Board shall consider population size in establishing these standards, granting waivers to those communities that are simply too small to meet the requirements.

Even with such a waiver, however, a very small number of libraries may still not meet the standards. In these cases, the State Library will work with affected libraries to assist them in receiving the resources they need to meet the standards, if the libraries so desire. It is anticipated that the rules will include a short grace period, 2-3 years, after the bill's implementation. There are also some privately-run libraries in Oregon that currently are not considered public libraries. These libraries will be unaffected by the proposed legislation, unless the communities decide to establish public libraries.