
Confidentiality of Library Records

Privacy of library registration and circulation records is protected under Florida Statutes Section 257.261. The library will comply fully with this statute and will not establish policies which conflict with it.

The 2004 Florida Statutes reads:

257.261 Library registration and circulation records.--

(1) All registration and circulation records of every public library, except statistical reports of registration and circulation, are confidential and exempt from the provisions of s. [119.07](#)(1) and from s. 24(a) of Art. I of the State Constitution.

(2) As used in this section, the term "registration records" includes any information that a library requires a patron to provide in order to become eligible to borrow books and other materials, and the term "circulation records" includes all information that identifies the patrons who borrow particular books and other materials.

(3)(a) Except in accordance with a proper judicial order, a person may not make known in any manner any information contained in records made confidential and exempt by this section, except as otherwise provided in this section.

(b) A library or any business operating jointly with the library may, only for the purpose of collecting fines or recovering overdue books, documents, films, or other items or materials owned or otherwise belonging to the library, disclose information made confidential and exempt by this section to the following:

1. The library patron named in the records;
2. In the case of a library patron less than 16 years of age, the parent or guardian of that patron named in the records;
3. Any entity that collects fines on behalf of a library, unless the patron is less than 16 years of age, in which case only information identifying the patron's parent or guardian may be released;
4. Municipal or county law enforcement officials, unless the patron is 16 years of age, in which case only information identifying the patron's parent or guardian may be released; or
5. Judicial officials.

(4) Any person who violates this section commits a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

The USA PATRIOT Act gives authority to Federal agents and law enforcement officials to acquire information contained in personal accounts. The Act prohibits the library from informing the cardholder or any other individual that information has been requested or provided from their account.

When library materials are returned to the library and checked in, the record of that loan is erased from the account, unless the account is overdue and/or fines or fees are unpaid. Once the fines are paid, the record is erased. The library does not maintain a record of the items that individuals have borrowed.

In the event that police, law enforcement, or other authorities are contacted to deal with problem

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behavior, information collected associated with the event is not confidential and may be disclosed.

Marion County Administration and Library Administration will establish guidelines, regulations and procedures for the implementation of this policy.