

Free Library Cards

Original question from librarian: I am not sure if you can answer this, but I am wondering how funding affects who we give a FREE library card too. Our policy is that you have to have a valid address in Fergus County in order to get a free library card. However, my staff feels that if a patron is paying taxes on land in the County than they should get a free card even if they don't live on that property. I disagree and feel that all patrons must have a valid mailing address within the county to get a free card privilege. My question is if there are any state laws that affect this or if this is at the discretion of the library? I know it is kind of an "out there" question but I would really like to know if there is anything legal weighing either way.

Response from Tracy Cook, July 13, 2012: The only piece of code that addresses free library services is MCA 22-1-311. It does say that the library will be free for the inhabitants of the city or county that support the library. Here's a link to that code:

http://msl.mt.gov/For_Librarians/For_Public_Librarians/Library_Law/Laws_and_Rules/lawsdetail.asp?l=w=130

This is really a board policy. Some library boards let everybody have a card for free, because they receive state funding and/or believe that the people coming into the library are often coming into town to spend money. It's a goodwill policy for them. Other library boards charge for non-county resident cards, because they feel like they need to respect the fact that some people are paying property taxes while non-residents are not. Also some county commissioners and/or city council members strongly encourage the library to charge. The final scenario I've seen is where the library has agreements with neighboring counties, but if you live outside that area you have to pay for a library card.