

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 486
HOUSE BILL 724

AN ACT RELATING TO CONFIDENTIALITY OF LIBRARY USER RECORDS.

The General Assembly of North Carolina enacts:

Section 1. This act may be cited as the Library Privacy Act.

Sec. 2. Chapter 125 of the General Statutes is amended by adding a new Article to read:

"Article 3.

"Library Records.

"§ 125-18. **Definitions.**—As used in this Article, unless the context requires otherwise:

(1) 'Library' means a library established by the State; a county, city, township, village, school district, or other local unit of government or authority or combination of local units of governments and authorities; a community college or university; or any private library open to the public.

(2) 'Library record' means a document, record, or other method of storing information retained by a library that identifies a person as having requested or obtained specific information or materials from a library. 'Library record' does not include nonidentifying material that may be retained for the purpose of studying or evaluating the circulation of library materials in general.

"§ 125-19. **Confidentiality of library user records.**—(a) Disclosure. A library shall not disclose any library record that identifies a person as having requested or obtained specific materials, information, or services, or as otherwise having used the library, except as provided for in subsection (b).

(b) Exceptions. Library records may be disclosed in the following instances:

(1) When necessary for the reasonable operation of the library;

(2) Upon written consent of the user; or (3) Pursuant to subpoena, court order, or where otherwise required by law."

Sec. 3. This act shall become effective October 1, 1985.

In the General Assembly read three times and ratified, this the 27th day of June, 1985.