



General Assembly

**Substitute Bill No. 5417**

February Session, 2024



**AN ACT CONCERNING PUBLIC SCHOOL LIBRARIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2024*) (a) As used in this section:
- 2 (1) "Library material" means books, periodicals or any other sources,  
3 in print or nonprint format, available for reference purposes or to be  
4 circulated for voluntary inquiry by students. "Library material" does not  
5 include materials required as a part of classroom instruction;
- 6 (2) "Remove" means deliberately taking library material out of a  
7 library's collection. "Remove" does not include the process of clearing  
8 such collection of any materials that are no longer useful;
- 9 (3) "Restrict access" means placing library material in any manner to  
10 limit circulation or accessibility; and
- 11 (4) "Qualified complaint" means a request by a student, or a parent or  
12 guardian of a student, to remove or restrict access to library material in  
13 the collection of the school library or media center of the school in which  
14 such student is enrolled.
- 15 (b) Not later than January 1, 2025, each local and regional board of  
16 education shall establish a policy for the evaluation of any library  
17 material that is the subject of a qualified complaint or otherwise subject

18 to removal or restricted access. Such policy shall include, but need not  
19 be limited to, (1) developing a complaint form for filing qualified  
20 complaints, which form shall be posted on the Internet web site of each  
21 school under such board's jurisdiction, (2) prescribing a process for the  
22 submission of a qualified complaint, (3) establishing a library material  
23 review committee that shall include, but need not be limited to, (A) the  
24 principal of the school in which the library material is located, (B) the  
25 director of curriculum, or a person in an equivalent position, employed  
26 by such board, (C) a certified school librarian employed by such board  
27 or employed by another board of education in the state, (D) the  
28 superintendent of the school district, or the superintendent's designee,  
29 and (E) one or more teachers employed by such board, (4) specifying the  
30 process for a library material review committee's evaluation of library  
31 material and the time frame and manner in which such committee is  
32 required to respond to a qualified complaint, (5) requiring that no  
33 library material may be removed or subject to restricted access unless a  
34 library material review committee completes an evaluation of such  
35 library material and a final decision is made, as prescribed by the policy  
36 established by such board, to remove or restrict access to such library  
37 material, and (6) requiring that a final decision, made in any manner  
38 prescribed by the policy established by such board, about whether such  
39 library material will be removed or subjected to restricted access is  
40 posted on the Internet web site of such board. Such board shall review  
41 such policy and make any necessary updates not less frequently than  
42 every five years after establishing such policy.

43 (c) Each local or regional board of education shall provide a reason  
44 for the removal or restricted access to any library material belonging to  
45 the collection of a school library or media center as a result of the process  
46 prescribed by the policy established pursuant to subsection (b) of this  
47 section. No board shall remove or restrict access to library material  
48 because of any of the following:

49 (1) Partisan content or views contained in any library material;

50 (2) An author's race, nationality, gender identity, sexual orientation

51 or political or religious views;

52 (3) The personal discomfort, morality or political or religious views  
53 of a member or members of the board;

54 (4) An author's points of view concerning current events, whether  
55 international, national or local;

56 (5) The race, nationality, gender identity, sexual orientation or  
57 political or religious views of a protagonist or other characters or as  
58 otherwise represented in the library material; or

59 (6) The content of the library material is related to sexual health and  
60 addresses physical, mental, emotional or social dimensions of human  
61 sexuality, including, but not limited to, puberty, sex and relationships  
62 based on the age, development and grade level of students.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2024</i>	New section

**ED**      *Joint Favorable Subst.*