



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5253/1
EVM&FFK:amn

2023 SENATE BILL 824

December 19, 2023 - Introduced by Senators L. JOHNSON, HESSELBEIN, SPREITZER and LARSON, cosponsored by Representatives J. ANDERSON, EMERSON, BALDEH, CLANCY, CONLEY, CONSIDINE, JACOBSON, MADISON, MOORE OMOKUNDE, OHNSTAD, PALMERI, RATCLIFF, SINICKI, SNODGRASS and HAYWOOD. Referred to Committee on Government Operations.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to create* 43.58 (9) and 120.12 (25m) of the statutes; **relating to:**
2 requests for restrictions on the availability of library materials, including
3 school library materials.

Analysis by the Legislative Reference Bureau

The bill provides that, if a library board or school board has a procedure to evaluate and resolve a complaint alleging that library materials should be removed from the collection or restricted to certain users, the procedure may only be initiated upon a finding that 1) the complaint is made by an individual who resides in a political subdivision that established the public library or in the case of a school library, the individual is either the parent or guardian of a pupil attending a school in the school district or a resident of the school district, 2) the complaint is accompanied by a statement from the individual making the complaint averring that the individual has reviewed the library material in its entirety, 3) the complaint contains an explanation of the individual's objections to the material, and 4) the complaint is accompanied by the signatures of not less than 5 percent of the total number of electors in the political subdivision that established the public library or for a school library, 5 percent of the total number of the electors in the school district in which the school library is located.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 824**SECTION 1**

1 **SECTION 1.** 43.58 (9) of the statutes is created to read:

2 43.58 (9) If a library board has a procedure to evaluate and resolve a complaint
3 alleging that library materials should be removed from the collection or restricted
4 to certain users, the procedure may only be initiated upon a finding that all of the
5 following are satisfied:

6 (a) The complaint is made by an individual who resides in a city, village, town,
7 or county that established the public library.

8 (b) The complaint is accompanied by a statement from the individual making
9 the complaint averring that the individual has reviewed the library material in its
10 entirety.

11 (c) The complaint contains an explanation of the individual's objections to the
12 material.

13 (d) The complaint is accompanied by the signatures of not less than 5 percent
14 of the total number of electors in the city, village, town, or county that established
15 the public library.

16 **SECTION 2.** 120.12 (25m) of the statutes is created to read:

17 120.12 (25m) SCHOOL LIBRARY MATERIALS; OBJECTIONS POLICY. If the school board
18 has a procedure to evaluate and resolve a complaint alleging that school library
19 materials should be removed from the collection or restricted to certain users, ensure
20 that the procedure may only be initiated upon a finding that all of the following are
21 satisfied:

22 (a) The complaint is made by an individual who is any of the following:

23 1. A parent or guardian of a pupil enrolled in the school district.

24 2. A resident of the school district.

