

HCS HB 1146 -- RECONSIDERATION OF LIBRARY MATERIALS

SPONSOR: Justus

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 20 to 1.

The following is a summary of the House Committee Substitute for HB 1146.

This bill establishes provisions relating to the reconsideration of materials in a public library.

The bill defines "digital library material" as material including, but not limited to, digital audiobooks, electronic books, textbooks, and journals, electronic magazines, and other resources that are directly accessible through the public library database, but excluding any online or digital content that is available to patrons outside of the public library or school library or platform.

This bill defines "material" as any picture, drawing, photograph, motion picture film, videotape or videotape production, or pictorial representation; any recording or transcription; any mechanical, chemical, or electrical reproduction; any stored computer data; or anything that can be used as means of communication. Material includes, but is not limited to, undeveloped photographs, molds, printing plates, stored computer data, and other latent representational objects.

The bill defines "reconsideration" as a process in which library personnel or library governing bodies review materials in a public library due to a formal complaint. The outcome of this reconsideration can include relocating or removing materials or digital library materials.

This bill requires all public libraries to establish a policy outlining the process for materials and digital library materials to undergo reconsideration based on a complaint made about materials or digital library materials from a member of the community. Such a policy must be made publicly available, as provided in the bill.

A public library will remove materials from its permanent collection, relocate materials within its collection, or remove access to digital library materials within its collection only if the materials have been reviewed in accordance with an established

policy for the reconsideration of materials and digital library materials that complies the requirements of the bill.

To request reconsideration of materials or digital library materials, the individual making the request must sign a form affirming that: the individual has read or consumed the entirety of the challenged material; the individual resides in the taxing district of the public library in which the request is made; and the individual holds a library card for the public library in which the individual is filing the request for reconsideration.

Each public library must develop an appeals process for the reconsideration policy that outlines a process for appealing a decision made regarding the removal of materials. A record of all appeals requested and their outcomes will be made available by a public library upon request.

Digital library resources will not track or provide third-party notification regarding digital library materials accessed by individual users via public library database. An individual who is an employee or volunteer of a public library must not be subject to termination, demotion, discipline, retaliation, or any other penalty for refusing to remove materials or digital library materials before the materials have been reviewed in accordance with a public library policy that complies with the provisions of this bill.

This bill is similar to SB 159 (2025).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that libraries provide resources for the community and children should be safe at the library. This bill puts into statute what the Secretary of State has already implemented by rules. Public libraries should already have an established policy for reconsideration. Services like Ebsco and MoreNet support the language and already have the technological capability to remove digital content and help provide a safe space in the community that meets the needs of the community.

Testifying in person for the bill were Representative Justus; Missouri Library Association; Scott Bernier, Ebsco Information Services.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.