

HB 1146 -- LIBRARY MATERIALS

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

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

This bill defines "library material" as any resource in print or non-print format, including, but not limited to, books, magazines, microfiche, microfilm, slides, exhibits, and other materials that are found in a public library or school library.

The bill defines "reconsideration" as a process in which library personnel, public schools, school districts, or library governing bodies review materials in a public library or school library due to a formal complaint filed by a member of the community. The outcome of this reconsideration may include relocating or removing library materials or removing or restricting access to digital library materials.

This bill requires all public libraries and public school libraries to establish a policy outlining the process for library materials and digital library materials to undergo reconsideration based on a complaint made about library 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 or school library will remove library materials from its permanent collection, relocate library materials within its collection, or remove or restrict 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 library materials and digital library materials that complies the requirements of the bill.

To request reconsideration of library materials or digital library materials, the individual making the request must sign an affidavit affirming that: the individual has read or consumed the entirety of the challenged material; and the individual resides in the taxing district of the public library in which the request is made or the school district in which the request is made.

Each public library or school library must develop an appeals process for the reconsideration policy that outlines a process for appealing a decision made regarding the removal of library materials or digital library materials, as provided in the bill.

Digital library resources will not track or monitor the access of library materials or digital library materials by individual users, especially minors, including any tracking or monitoring to personalize user experiences.

An individual who is an employee or volunteer of a public library or school library must not be subject to termination, demotion, discipline, retaliation, or any other penalty for refusing to remove library materials or digital library materials before the materials have been reviewed in accordance with a policy that complies with the provisions of this bill.

This bill is similar to SB 159 (2025).