

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 6250H.02C
 Bill No.: HCS for HB 3005
 Subject: Libraries and Archives; Elementary and Secondary Education; Department of
 Elementary and Secondary Education
 Type: Original
 Date: March 9, 2026

Bill Summary: This proposal establishes provisions relating to the reconsideration of materials in a public library or public school library.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND

FUND AFFECTED	FY 2027	FY 2028	FY 2029
General Revenue*	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)
Total Estimated Net Effect on General Revenue	\$0 or (Unknown)	\$0 or (Unknown)	\$0 or (Unknown)

***Oversight** notes SOS will need to replace resources if they cannot be altered to meet the bill requirements.

ESTIMATED NET EFFECT ON OTHER STATE FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Total Estimated Net Effect on FTE	0	0	0

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS

FUND AFFECTED	FY 2027	FY 2028	FY 2029
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§182.910 – Reconsideration of Library Materials

Officials from **Office of the Secretary of State (SOS)** assume §182.910.7: MOSL estimates the potential impact as written to be between \$0 and an unknown cost starting in FY27. The State Library subscribes to more than 10 databases for an annual recurring cost of more than \$1,000,000. This is based on acquisition costs for online databases and replacing those resources if they cannot be altered to meet the bill requirements. MOSL may have to subscribe to different databases to replace current resources that may have limited curation capability. While some databases do allow curation of material it may not be possible or feasible to create certain restrictions or possible to remove certain items necessitating the discontinued use of a particular database.

Oversight notes SOS may experience some cost to modify or replace current subscriptions but Oversight anticipates this to be less than \$250,000. Therefore, Oversight will reflect a zero or unknown cost for their agency.

Officials from the **Department of Elementary and Secondary Education, Missouri Ethics Commission, City of O’Fallon, City of Kansas City, the Platte County Board of Elections** and the **St. Louis County Board of Elections** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Officials from the **Rolling Hills Consolidated Library** assume the proposal will have no fiscal impact on their organization.

In response to similar legislation, HB 1146 (2025), officials from the **Jackson County Election Board, Kansas City Election Board, St. Louis City Board of Elections** and **Mid-Continent Public Library** each assumed the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

In response to similar legislation, HB 1146 (2025), officials from the **City of Osceola** responded to **Oversight’s** request but did not provide a fiscal impact response for this proposal.

Oversight only reflects the responses that we have received from state agencies and political subdivisions; however, other school districts and public libraries were requested to respond to this proposed legislation but did not. Upon the receipt of additional responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval to publish a new fiscal note. A general listing of political subdivisions included in our database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
GENERAL REVENUE			
<u>Cost – SOS (§182.910) Potential replacement of resources with limited curation capabilities p.3</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>	\$0 or <u>(Unknown)</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2027 (10 Mo.)	FY 2028	FY 2029
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

No direct fiscal impact on small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

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.

The 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 comply with 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 specified 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 legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Department of Elementary and Secondary Education
Missouri Ethics Commission
Kansas City
O'Fallon
Jackson County Election Board
Kansas City Election Board
Platte County Board of Elections
St. Louis City Board of Elections
St. Louis County Board of Elections
Mid-Continent Public Library
Rolling Hills Consolidated Library
City of Osceola



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