



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 2161		DATE: 3/4/2026	
COMMITTEE: Local Government			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: TOM DEMPSEY		PHONE NUMBER: 636-288-7461	
REPRESENTING: ST. CHARLES COUNTY		TITLE:	
ADDRESS: 3103 BUCKSKIN PATH			
CITY: ST. CHARLES		STATE: MO	ZIP: 63301
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/4/2026 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL:	ATTENDANCE: In-Person	SUBMIT DATE: 3/4/2026 11:47 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

I am Opposed to this Bill for the Following reasons:

1. This Bill is Unconstitutional and is Special Legislation.
2. This Bill needs to be Appointed by the Mayor with the Confirmation of the Majority of the Governing Body Elected Members.
3. There NEEDS to be staggered Terms-Of-Office and will be Appointed when the current Trustee of the Board Term Expires.

City of O'Fallon & City of Saint Peters-2028
City of Wentzville-2029
Saint Charles City-2030

and that five (5) Members will be Appointed in staggered Terms, by the County Executive with the Confirmation of the County Council.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCAT		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: In-Person	SUBMIT DATE: 3/4/2026 11:48 PM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SARAH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 3/4/2026 6:06 AM	

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

HB 2161 expands and restructures government control over public library governance through additional layers of political appointment authority. The bill does not reduce political influence over libraries; it entrenches it.

Public libraries exist to facilitate the free exchange of ideas, information, and viewpoints. Increasing the role of political actors in determining who governs those institutions raises serious constitutional concerns regarding viewpoint neutrality and government interference with access to information protected under the First Amendment.

The Supreme Court has repeatedly recognized that the First Amendment protects not only the right to speak, but the right to receive information and ideas. Government structures that place information institutions under heightened political control create a foreseeable risk that library governance decisions will be influenced by political priorities rather than constitutional neutrality.

By expanding the authority of elected officials to determine library governance structures, HB 2161 increases the likelihood that libraries become arenas for political enforcement of ideological preferences rather than neutral public information institutions.

If the General Assembly wishes to reduce conflict surrounding libraries, the appropriate solution is to reduce political control over information institutions—not expand it.

For these reasons, HB 2161 should not advance.

Legislative Notice:

The General Assembly is placed on notice that expanding political control over public library governance implicates well-established First Amendment protections concerning access to information and viewpoint neutrality.

The United States Supreme Court has long recognized that the First Amendment protects the public’s right to receive information and ideas through public institutions. Government actions that materially increase political control over such institutions create foreseeable litigation risk if governance structures are used in a manner that restricts access to constitutionally protected materials or viewpoints.

Accordingly, statutory changes that concentrate governance authority in political appointees may

invite constitutional challenge where such authority is exercised in ways that burden First Amendment interests.

Footnotes:

First Amendment, U.S. Constitution

Stanley v. Georgia, 394 U.S. 557 (1969) – Recognizing the right to receive information and ideas.

Board of Education v. Pico, 457 U.S. 853 (1982) – Government removal of library materials implicates First Amendment rights.

Packingham v. North Carolina, 582 U.S. 98 (2017) – Access to information spaces is protected by the First Amendment.

Missouri Constitution, Article I, §8 – Protects freedom of speech and expression.