

LEGISLATIVE WRAP UP 2023

HB284 Public Library Background Check Requirements [PASSED]

- ULA Supported this bill
- Librarians worked hand in hand with Rep. Johnson over the last year to craft it.
- Almost all public libraries (except some small rural) already do background checks
- This bill provides \$\$ for those small rural libraries to implement.

SB55 Public School Instructional Material Requirements [PASSED]

- This bill as written could have had an unintended consequence of requiring library research databases that contain current periodical/newspaper articles to notify LEAs every time there was a new article.
- The sponsors were willing to make a small language change in a substitute bill to address this issue.

HB465 Public School Library Transparency Amendments [PASSED]

Initially, a very problematic bill, but in the end we did not oppose it because the problematic parts were struck in the First Substitute. [ULA/UELMA sent thank you to sponsor, Rep. Welton.](#)

- **IN THE FINAL BILL: Requires Online Platform for Parents to see what's checked out** (this is already possible - parents don't take advantage of it.)
- **ADDED:** Long timeline for schools to comply; commitment by Rep. Welton to do RFA for funding if needed.
- **STRUCK in FIRST SUB: Requires parental notification if student checks out a book that is "subject of a review under this section":** This functionality is not built into current systems; don't know of any systems that have it; the cost of moving to a new platform is not insignificant in staff time, migration, documentation, training.
- **STRUCK in FIRST SUB: Requires Immediate Removal of books w/o evaluation:** "immediately remove the material from the library, classroom, or other location where students may access the material until the LEA completes the review and makes the determination"

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HB138: Sensitive Material Requirements [DIED]

(originally: DIGITAL SCHOOL CURRICULUM REQUIREMENTS)

- **This bill went through many iterations (seven substitutes)** and all versions had problematic content for libraries including language that would have led to increase in materials being pulled from shelves of school libraries, the censoring of specific sections/chapters of books, and the canceling of contracts with library vendors for providing educational materials.
- **Requires Eliminating the chapter or section** of the instructional material containing the sensitive material from the LEA's curriculum (92-93)

HB464: School Materials Amendments - [DIED]

- **Would have required Immediate Removal of books, upon any complaint, w/o an evaluation**
- **Created a legal status of materials that are of “serious concern”** (without a full evaluation of the value of those materials)
- **Required parental consent for access** for anything that has been rated of “serious concern” by State School Board (based on the rating system that they establish)
- **Prevented the acquisition** of “sensitive materials” by LEAs and schools;
- **Created New Ratings Requirements to Include:** “at least language, criminal activity, self-harm, drug use, suicidal ideation and sexual content, including sexuality and gender identity;” How will these ratings be arrived at, and how will they be used in the future to restrict access? This will require an incredible amount of staff time and resources.

Loss of Dedicated Funding for School Library Materials (765K)

- Early in the session (Feb 2) the Public Ed. The Appropriations Subcommittee moved \$765,000, that had previously been restricted to spending on “School Library Books & Electronic Resources”, into a general fund. [[see Motion 4 on page 1](#)]. While these funds were not eliminated, the requirement to use them exclusively for school library resources has been lifted. LEAs now have the discretion to spend these funds in other areas.