The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L. Tyler.

DIGEST

SB 7 Original

2023 Regular Session

Cloud

Present law provides for the establishment of libraries by parishes and municipalities.

<u>Proposed law</u> defines "digital content", "library patron", "sexual conduct", and "sexually explicit material".

<u>Proposed law</u> requires that by January 1, 2024, each library established in accordance with <u>present</u> <u>law</u> or pursuant to a home rule charter shall adopt and implement a policy to limit the access of minors to sexually explicit material.

<u>Proposed law</u> requires the policy to include, at a minimum, the following:

- (1) A requirement that community standards for the population served by the library be considered when acquiring library material through donation or purchase.
- (2) A library card system that allows a parent or guardian to select a card that indicates whether a minor is permitted to check out sexually explicit material physically available in the library. This may be accomplished by either:
 - (a) Allowing a parent or guardian to select a library card that restricts a minor from checking out any library material from a collection that contains sexually explicit material.
 - (b) Allowing a parent or guardian to select a library card that restricts a minor from checking out any library material that the library board of control has, through majority vote in an open meeting, identified as sexually explicit material.
- (3) A library card system that allows a parent or guardian to choose a library card that indicates whether a minor is permitted to check out digital content. The library is required to list in the library policy each digital content source accessible by minors that contains sexually explicit material.
- (4) A procedure that allows a library patron to request the reconsideration of whether a library material should be included in a library collection. The procedure shall include, at a minimum, the following:
 - (a) A process to review a reconsideration request. This process shall include but is not limited to a written determination approving or denying the request, a process to notify the library patron making the request of the written determination, and the

process to appeal the determination to the library board of control.

(b) A requirement that a request for reconsideration of a library material that may include sexually explicit material be reviewed by the library board of control.

Proposed law provides for immunity of employees and agents of the library.

<u>Proposed law</u> allows a parish or municipality governing authority to withhold payments for maintenance costs and other expenses from a library that fails to adopt and implement the policy required by <u>proposed law</u>.

<u>Proposed law</u> prohibits the bond commission from considering any application authorizing the incurrence of debt or any application authorizing the levy of any tax where the proceeds of the debt or tax directly benefit any library that fails to adopt and implement the policy required by <u>proposed</u> <u>law</u> until the library adopts and implements the policy required by <u>proposed law</u>.

Effective August 1, 2023.

(Adds R.S. 25:225)