

1 H.806

2 Introduced by Representatives Chesnut-Tangerman of Middletown Springs,
3 McCann of Montpelier, Anthony of Barre City, Berbeco of
4 Winooski, Casey of Montpelier, Farlice-Rubio of Barnet,
5 Goldman of Rockingham, Headrick of Burlington, Hyman of
6 South Burlington, Logan of Burlington, Masland of Thetford,
7 Morris of Springfield, Mulvaney-Stanak of Burlington,
8 Priestley of Bradford, Surprenant of Barnard, Torre of
9 Moretown, Troiano of Stannard, and White of Bethel

10 Referred to Committee on

11 Date:

12 Subject: Libraries, history, and information technology; public libraries;
13 prohibition of book bans

14 Statement of purpose of bill as introduced: This bill proposes to prohibit the
15 banning or removal of library materials by public or school libraries and
16 restrict any form of State funding for a library that violates the materials
17 retention rules adopted by the State Librarian.

18 An act relating to the prohibition of book bans by public and school
19 libraries

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 22 V.S.A. § 67 is amended to read:

3 § 67. PUBLIC LIBRARIES; STATEMENT OF POLICY; USE OF
4 FACILITIES AND RESOURCES

5 * * *

6 (c) The General Assembly further declares it to be the policy of the State to
7 protect the freedom of libraries and library systems to acquire materials for the
8 exchange of ideas and cultural growth of the community and to be protected
9 against attempts to ban, remove, or otherwise restrict access to books or other
10 materials.

11 Sec. 2. 22 V.S.A. § 612 is added to read:

12 § 612. SELECTION AND RETENTION POLICY; RULES

13 (a) The State Librarian, after consultation with the Board of Libraries, shall
14 adopt rules and model policies governing the retention of library materials by
15 public and school libraries. At minimum, the rules and policies shall be as
16 protective as the American Library Association's Library Bill of Rights and
17 shall provide that library materials shall not be removed on the basis of
18 partisan or doctrinal disapproval. The rules and policies shall prohibit the
19 practice of banning specific books or resources.

1 (b) Each public and school library in the State must adopt a materials
2 retention policy that complies with the rules and policies adopted by the State
3 Librarian.

4 (c)(1) A public library that violates the rules adopted pursuant to this
5 section shall not qualify for any form of State grants or funding. Prior to the
6 issuance of any State funds to a public library for any purpose, or to a
7 municipality for support of a public library, the public library shall submit an
8 affidavit confirming the library’s compliance with the rules adopted pursuant
9 to this section.

10 (2) A school library that violates the rules adopted pursuant to this section
11 shall not qualify for any supplemental State grants or funding. Prior to the
12 issuance of any supplemental State grants or funding to a school library for any
13 purpose, or to a school district for support of a school library, the school
14 library shall submit an affidavit confirming the library’s compliance with the
15 rules adopted pursuant to this section. In this subdivision (2), “supplemental
16 State grants or funding” shall mean State funding for school libraries but shall
17 not mean any payments made to school districts and supervisory unions from
18 the Education Fund as allowed under 16 VSA 4025(b).

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on July 1, 2024.