STATE OF NEW YORK

7830

2023-2024 Regular Sessions

IN ASSEMBLY

July 7, 2023

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Libraries and Education Technology

AN ACT to amend the education law, in relation to the practice of banning books by libraries

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 254 of the education law, as amended by chapter 718 of the laws of 1981, is amended to read as follows:

§ 254. Standards of library service. **1.** The regents shall have power to fix standards of library service for every free association, public and hospital library or, with the advice of the appropriate tribal government and library board of trustees, Indian library which receives any portion of the moneys appropriated by the state to aid such libraries, or which is supported in whole or in part by tax levied by any municipality or district. In the case of a hospital library or a library serving a hospital, such standards shall be established in consultation with the commissioner of health. If any such library shall fail to comply with the regents requirements, such library shall not receive any portion of the moneys appropriated by the state for free, hospital or Indian libraries nor shall any tax be levied by any municipality or district for the support in whole or in part of such library.

2. Every free association library, public library, hospital library, Indian library and library system which receives any portion of moneys appropriated by the state shall adopt the American Library Association's library bill of rights that indicates materials should not be proscribed or removed because of partisan or doctrinal disapproval or, in the alternative, develop a written statement prohibiting the practice of banning books or other materials within the library or library system.

§ 2. Section 711 of the education law is amended by adding a new subdivision 5 to read as follows:

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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5. Each school district, board of education, trustees or such body or officers as perform the functions of such boards shall adopt the American Library Association's library bill of rights that indicates materials should not be proscribed or removed because of partisan or doctrinal disapproval or, in the alternative, develop a written statement prohibiting the practice of banning books or other materials within any school library which receives aid for the purchase of school library materials.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law.