

## Will Richter

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**From:** Maggie Snow <msnow@umn.edu>  
**Sent:** Friday, March 1, 2024 8:06 AM  
**To:** Minitex Policy Advisory Council  
**Subject:** [Minitex Policy Adv Comm] Fwd: New Book Banning Prohibited bill: Response needed

Good morning Policy Advisory Council,

Please see the new bill, HF 4373, prohibiting book banning.

Maggie

----- Forwarded message -----

**From:** Sarah Hawkins <Sarah.Hawkins@anokacountymn.gov>  
**Date:** Thu, Feb 29, 2024 at 5:01 PM  
**Subject:** New Book Banning Prohibited bill: Response needed  
**To:** Liz Lynch <lynchl@gsuite.larl.org>, Megan Krueger <kruegerm@larl.org>, Carla Lydon <CLydon@ecrlib.org>, Krista Ross <kross@selco.info>, Ann Walker Smalley <ann@metronet.lib.mn.us>, Haugo, Kim (MGSH) <HaugoK@district279.org>, Belle Nelson <laurabellenelson@gmail.com>, Alex Wieker <wiek0008@umn.edu>  
**Cc:** Jodi Grebinoski <jodicgrebinoski@gmail.com>, Sara Swenson <Sara.Swenson@edinaschools.org>, Lee, Tamara (MDE) <Tamara.Lee@state.mn.us>, Buckland, Hannah (MDE) <Hannah.Buckland@state.mn.us>, Eidem, Katie A. (Kate) <Eidem.Katie@mayo.edu>, Maggie Snow <msnow@umn.edu>

Hi Leg Com,

**Requesting your feedback ASAP, particularly from our voting members. Thanks in advance!**

Rep. Frazier wrote a little different version of a “book banning prohibited” bill.

1. We disagree with the Subd 2, and hope to have conversations with Rep. Frazier to remove it.
  - a. Civil action is what technically could happen under the Governor’s Ed Policy bill (starting on line 49.19) as well, even though it’s not explicitly named.
2. We also would like to recommend Rep. Frazier add price and budget considerations to his list of practical reasons why a library might not purchase a title.
3. Other than that, we generally believe this is a much better bill than the language introduced in the Governor’s Education Policy bill, not to mention much less of waving a political red flag in front of the bull.

**Co-Chairs Recommendation: That we move our talking points and documents to support this bill, including the recommended modifications listed above.**

**Response requested: Do you support that recommendation? Any concerns?**

A bill for an act  
relating to libraries; prohibiting book banning by public libraries and school  
libraries; creating a private right of action and providing for attorney general  
enforcement; proposing coding for new law in Minnesota Statutes, chapter 134.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1.

**[134.55] BOOK BANNING.**

Subdivision 1.

**Book banning prohibited.**

(a) A public library or a library or media center controlled in whole or in part by a school district, charter school, or public postsecondary institution must not ban, remove, or otherwise restrict access to a book or other material based on its viewpoint or the messages, ideas, or opinions the book or material conveys.

(b) This section does not limit authority to decline to purchase, lend, or shelve or to remove or restrict access to books or other materials legitimately based upon:

(1) practical reasons, including but not limited to shelf space limitations, rare or antiquarian status, damage, or obsolescence;

(2) legitimate pedagogical concerns, including but not limited to the appropriateness of potentially sensitive topics for the library's intended audience, the selection of books and materials for a curated collection, or the likelihood of causing a material and substantial disruption of the work and discipline of the school; or

(3) compliance with state or federal law.

(c) Nothing in this section shall impair or limit the rights of a parent, a guardian, or an adult student under section 120B.20.

Subd. 2.

**Enforcement; civil action.**

(a) Any person injured by a violation of subdivision

1 may bring a civil action against the public library, school district, charter school, or public postsecondary institution for injunctive relief together with costs and reasonable attorney fees, and receive other equitable relief as determined by the court. In addition to all other damages, the court may impose a civil penalty payable to the plaintiff of up to \$5,000 for each violation. Civil remedies allowable under this section are cumulative and do not restrict any other right or remedy otherwise available. If the court determines that an action brought under this subdivision is frivolous and without merit and a basis in fact, the court may award reasonable costs and attorney fees to the defendant.

**SARAH HAWKINS**

Assistant Director

**Anoka County LIBRARY-** Library Support Services

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763-324-1563

[anokacountylibrary.org](http://anokacountylibrary.org).

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*Anoka County employee emails have changed recently! We are using the protected .gov classification so our residents know when they are working with a government member. We hope this change will aid in serving our residents safely and securely. Please update the contact information you have to my new email: [sarah.hawkins@anokacountymn.gov](mailto:sarah.hawkins@anokacountymn.gov)*

Notice: Generally, most data maintained by a library on individuals is private and may not be disclosed for other than library purposes except by court order.

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