

SB 208-FN - AS INTRODUCED

2025 SESSION

25-0988

02/09

SENATE BILL            ***208-FN***

AN ACT                requiring local school boards and public libraries to adopt curation policies.

SPONSORS:            Sen. Altschiller, Dist 24; Sen. Fenton, Dist 10; Sen. Long, Dist 20; Sen. Perkins Kwoka, Dist 21; Sen. Rosenwald, Dist 13; Sen. Watters, Dist 4; Rep. Selig, Straf. 10; Rep. Wallner, Merr. 19; Rep. Balboni, Rock. 38; Rep. M. Murray, Hills. 37

COMMITTEE:          Education

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ANALYSIS

This bill requires school districts and library board of trustees to adopt policies governing material curation and removal, and indemnifies staff for complying with such policies.

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Explanation:          Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT requiring local school boards and public libraries to adopt curation policies.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Short Title. This act shall be known as the Granite State Literacy Act.

2 2 Legislative Findings. School libraries and public libraries, as centers for voluntary inquiry,  
3 play a unique role in promoting intellectual freedom, providing equitable access to learning  
4 resources, and promoting democracy by providing service to all. This act would ensure that everyone  
5 has the freedom to read without censorship by preventing age-appropriate books from being banned  
6 in schools and libraries solely because of disagreement with their ideas.

7 3 New Subdivision; Granite State Literacy Act. Amend RSA 189 by inserting after section 78  
8 the following new subdivision:

9 Granite State Literacy Act

10 189:79 School Library Curation Policies.

11 No later than July 1, 2026, each local school board shall adopt a policy on curation of school  
12 library materials in the local school system. To assist school boards in developing such policy, the  
13 department of education shall develop a model policy. The department shall develop the model  
14 policy in collaboration with the New Hampshire School Boards Association, the School Library  
15 Section of the New Hampshire Library Association, the early childhood, family, and community  
16 health section of the department of health and human services, and any other relevant agencies.  
17 The model policy may be updated as the department deems necessary in collaboration with the  
18 organizations identified pursuant to this section. Such policy adopted by school boards shall, at a  
19 minimum:

20 I. Recognize that school libraries serve as centers for voluntary inquiry and the  
21 dissemination of information and ideas, and that school librarians and library media specialists are  
22 professionally trained to curate and develop school library collections that provide students with  
23 access to the widest array of library material available to the library;

24 II. Recognize that library material should be provided for the interest, information, and  
25 enlightenment of all people, and require that all students be provided access to library materials  
26 that offer diverse points of view in the collection as a whole. Such diverse points of view shall  
27 include any material representing, or authored, illustrated, or produced by, any members of a  
28 protected class under RSA 354-A:27;

29 III. Promote the free expression and free access to ideas by students by prohibiting the  
30 censorship of library material. "Censorship" as used in this subdivision shall mean to block,  
31 suppress, or remove material based on disagreement with a viewpoint, idea, or concept, or based on

1 discrimination against a protected class as defined in RSA 354-A:27, or solely because an individual  
2 finds certain content offensive, but does not mean limiting or restricting access to any material  
3 deemed developmentally inappropriate for certain age groups;

4 IV. Require student access to age-, grade-, and development-appropriate library material,  
5 including material that is relevant to the research, independent reading interests, and educational  
6 needs of students;

7 V. Acknowledge that school librarians and school library media specialists are professionally  
8 trained to curate and develop library collections that provide residents with the widest array of  
9 material available to the library, and provides students with the widest array of age- and grade-  
10 appropriate library material available to schools; and

11 VI. Establish a procedure for school librarians and school library media specialists to review  
12 library material within a library on an ongoing basis, which shall include, but not be limited to: the  
13 library material's relevance; the condition of the library material; the availability of duplicates; the  
14 continued demand for the library material, and, the availability of more recent age- or grade-  
15 appropriate material.

16 189:80 School Library Book Removal Policy.

17 No later than July 1, 2026, each local school board shall develop a policy establishing procedures  
18 regarding requests for removal of library material within school libraries under their jurisdiction.  
19 To assist school boards in developing such policy, the department of education shall develop a model  
20 policy. The department shall develop the model policy in collaboration with the New Hampshire  
21 School Boards Association, the School Library Section of the New Hampshire Library Association,  
22 the early childhood, family, and community health section of the department of health and human  
23 services, and any other relevant agencies. The model policy may be updated as the department  
24 deems necessary in collaboration with the organizations identified pursuant to this section. The  
25 policy adopted by school boards shall, at a minimum, require:

26 I. The creation of a request for removal form that may be submitted only by an individual  
27 with a vested interest to the principal of the school in which the library material is challenged to  
28 initiate a review of the material. An individual with a vested interest shall include any school staff  
29 member employed by the school district, any parent or guardian of a student enrolled in the school  
30 district at the time the form is filed, and any student enrolled in the district at the time the form is  
31 filed;

32 II. The principal or the principal's designee to appoint a review committee within 10  
33 business days of receiving a request for removal form, consisting of the following members:

34 (a) The principal or the principal's designee;

35 (b) The school librarian, library media specialist, or a teaching staff member similarly  
36 trained;

37 (c) A representative selected by the school board;

1 (d) At least one grade-appropriate teacher familiar with the library material, provided  
2 the teacher selected is not the individual who submitted the form;

3 (e) A parent or guardian of a student enrolled in the school district, provided the parent  
4 or guardian selected is not the individual who submitted the form; and

5 (f) If the individual who submitted the form is enrolled in grades 9 through 12, a student  
6 enrolled in the district, provided the student selected is not the individual who submitted the form.

7 III. That a challenged library material remain within the school library and available for a  
8 student to reserve, check out, or access until there is a final decision reached by the school board  
9 pursuant to paragraph V of this section;

10 IV. The review committee shall evaluate the request for removal form, review the challenged  
11 library material, and report its recommendations on whether to remove the library material to the  
12 school board within 30 school days from the date of receiving the form. A copy of the committee's  
13 report shall also be provided to the individual with a vested interest who filed the form and the  
14 principal; and

15 V. The school board shall review the committee's report and make a final determination on  
16 whether the library material is to be removed from the school library. The board shall provide and  
17 make public a written statement of reasons for:

18 (a) The removal or non-removal of a library material; and

19 (b) Any final determination that is contrary to the recommendations of the review  
20 committee.

21 189:81 Teaching Staff Protections.

22 I. A school librarian, school library media specialist, or any other teaching staff member that  
23 engages in good faith action as required by this subdivision shall be immune from criminal and civil  
24 liability.

25 II. A school librarian, school library media specialist, or any other teaching staff member  
26 that engages in activities as required by this subdivision shall have a civil cause of action for  
27 emotional distress, defamation, libel, slander, damage to reputation, or any other relevant tort,  
28 against any person who harasses the school librarian, library media specialist, or any other teaching  
29 staff member for complying with the provisions of this subdivision.

30 III. If the school librarian, school library media specialist, or any other teaching staff  
31 member that engages in activities as required by this subdivision is the prevailing party in the civil  
32 cause of action, the school librarian, library media specialist, or teaching staff member shall be  
33 entitled to an award of any reasonable attorney's fees and costs of suit incurred, and any injunctive  
34 relief as the court may deem necessary to avoid the defendant's continued violation.

35 4 New Paragraph; Definitions. Amend RSA 202-A:2 by inserting after paragraph II the  
36 following new paragraph:

1 III. "Censorship" shall mean to block, suppress, or remove material based on disagreement  
2 with a viewpoint, idea, or concept, or solely because an individual finds certain content offensive, but  
3 does not mean limiting or restricting access to any material deemed developmentally inappropriate  
4 for certain age groups.

5 5 New Sections; Policy on Curation of Library Materials and Book Removal in Public Libraries.  
6 Amend RSA 202-A by inserting after section 25 the following new sections:

7 202-A:26 Policy on Curation of Library Materials in Public Libraries.

8 On or before July 1, 2026, library trustees shall adopt a policy on the curation of library material  
9 within public libraries under their jurisdiction. To assist library trustees in developing such policy,  
10 the department of natural and cultural resources ("department") shall develop a model policy. The  
11 department shall develop the model policy in collaboration with the New Hampshire Library  
12 Association. The model policy shall be updated as the department deems necessary in collaboration  
13 with the NH Library Association. The policy adopted by library trustees shall, at a minimum:

14 I. Recognize that libraries serve as centers for voluntary inquiry and the dissemination of  
15 information and ideas, and that librarians are professionally trained to curate and develop library  
16 collections that provide residents with access to the widest array of library material available to the  
17 library;

18 II. Recognize that library material should be provided for the interest, information, and  
19 enlightenment of all people, and require that all residents be provided access to library material that  
20 offer diverse points of view in the collection as a whole;

21 III. Promote the free expression and free access to ideas by residents by prohibiting the  
22 censorship of library material;

23 IV. Acknowledge that a librarian is professionally trained to curate and develop library  
24 collections that provide residents with the widest array of material available to the library; and

25 V. Establish a procedure for a librarian to review library material within a library on an  
26 ongoing basis, which shall include, but not be limited to:

- 27 (a) The library material's relevance;  
28 (b) The condition of the library material;  
29 (c) The availability of duplicates; and  
30 (d) The continued demand for the library material.

31 202-A:27 Public Library Book Removal Policy.

32 On or before July 1, 2026, library trustees shall adopt a policy establishing procedures regarding  
33 requests for removal of library material within public libraries under their jurisdiction. To assist  
34 library trustees in developing such policy, the department of natural and cultural resources  
35 ("department") shall develop a model policy. The department shall develop the model policy in  
36 collaboration with the New Hampshire Library Association. The model policy shall be updated as

1 the department deems necessary in collaboration with the NH Library Association. The policy  
2 adopted by library trustees shall include, at a minimum:

3 I. The creation of a request for removal form that may be submitted only by an individual  
4 with a vested interest to the library trustees of the public library in which the library material is  
5 challenged to initiate a review of the material. An individual with a vested interest shall include  
6 any resident who is served by the public library;

7 II. The appointment of a review committee by the library trustees within 10 business days of  
8 receiving a request for removal form, consisting of:

9 (a) At least one member of the board of library trustees;

10 (b) A librarian employed by the public library;

11 (c) A staff member of the public library that is familiar with the library material; and

12 (d) A resident serviced by the public library, provided the resident selected is not the  
13 individual who submitted the form.

14 III. Challenged library material must remain within the public library and available for a  
15 resident to reserve, check out, or access until there is a final decision by the review committee;

16 IV. The review committee shall evaluate the request for removal form, review the challenged  
17 library material, and report its recommendations to the library trustees on whether to remove the  
18 library material within 30 business days from the date of receiving the form. A copy of the  
19 committee's report shall also be provided to the individual with a vested interest who filed the form;  
20 and

21 V. The library trustees shall review the committee's report and make a final determination  
22 on whether the library material is to be removed from the public library. The trustees shall provide,  
23 and make public, a written statement of reasons for:

24 (a) The removal or non-removal of a library material; and

25 (b) Any final determination that is contrary to the recommendations of the review  
26 committee.

27 202-A:28 Library Staff Protections.

28 I. A librarian in a public library that engages in activities as required by this chapter shall  
29 be immune from criminal and civil liability arising from good faith actions performed pursuant to  
30 the provisions of this chapter.

31 II. A librarian in a public library that engages in activities as required by this chapter shall  
32 have a civil cause of action for emotional distress, defamation, libel, slander, damage to reputation,  
33 or any other relevant tort, against any person who harasses the librarian for complying with the  
34 provisions of this chapter.

35 III. If the librarian in a public library that engages in activities as required by this chapter  
36 is the prevailing party in the civil cause of action, the librarian shall be entitled to an award of any

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1 reasonable attorney's fees and costs of suit incurred, and any injunctive relief as the court may deem  
2 necessary to avoid the defendant's continued violation.

3       6 Effective Date. This act shall take effect January 1, 2026.

**SB 208-FN- FISCAL NOTE**  
**AS INTRODUCED**

AN ACT requiring local school boards and public libraries to adopt curation policies.

**FISCAL IMPACT:** None

**METHODOLOGY:**

This bill requires school districts and library board of trustees to adopt policies governing material curation and removal, and indemnifies staff for complying with such policies. Based on information received from the Department of Education and Department of Natural and Cultural Resources, it is assumed all requirements in this bill would be absorbed within existing state and local staffing levels. No incremental impact on state, county, and local revenue or expenditures expected.

**AGENCIES CONTACTED:**

Department of Education and Department of Natural and Cultural Resources