

Rep. Alexander Jr., Hills. 29
Rep. Mazur, Hills. 44
March 24, 2025
2025-1307h
06/05

Floor Amendment to HB 666-FN

1 Amend the bill by replacing sections 1 and 2 with the following:

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3 1 Statewide Library Development System; Library User Records; Confidentiality. Amend RSA
4 201-D:11, I and II to read as follows:

5 I. Library records which contain the names or other personal identifying information
6 regarding the users of public or other than public libraries shall be confidential and shall not be
7 disclosed except as provided in paragraph II. Such records include, but are not limited to, library,
8 **library cards, library membership status**, information system, and archival records related to
9 the circulation and use of library materials or services, including records of materials that have been
10 viewed or stored in electronic form.

11 II. Records described in paragraph I may be disclosed to the extent necessary for the proper
12 operation of such libraries and shall be disclosed upon request by, or consent of, the user or pursuant
13 to subpoena, court order, or where otherwise required by statute. **Nothing in this section shall**
14 **exclude a school from notifying parents about educational materials being borrowed by or**
15 **taught to their children.**

16 2 New Paragraph; Library User Records; Confidentiality. Amend RSA 201-D:11 by inserting
17 after paragraph III the following new paragraph:

18 IV. Any library or library staff member who **knowingly or recklessly** discloses an
19 individual's library card or membership status without a court order or explicit consent of the
20 individual **or where otherwise required by statute** [~~in question~~] shall be in violation of this
21 section and subject to a civil penalty of \$1000, made payable from the violator to the aggrieved
22 individual whose information was released without their consent or a court order. Furthermore, the
23 violator shall issue an apology to the aggrieved individual. The apology shall be notarized and sent
24 via certified mail to the aggrieved individual.