

HB 666-FN - AS AMENDED BY THE HOUSE

27Mar2025... 0332h

27Mar2025... 1307h

2025 SESSION

25-0492

06/09

HOUSE BILL

666-FN

AN ACT relative to adding restitution payment for violations of the confidentiality of the library use records and adding library cards and membership status to the list of confidential matters.

SPONSORS: Rep. Mazur, Hills. 44; Rep. Alexander Jr., Hills. 29; Rep. Berry, Hills. 44; Rep. Giasson, Hills. 29; Rep. Reinfurt, Hills. 29; Rep. Seidel, Hills. 29; Sen. Murphy, Dist 16

COMMITTEE: Judiciary

ANALYSIS

This bill adds restitution payment and penalties for violating the confidentiality of the library use records and expands it to include library cards and membership status.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to adding restitution payment for violations of the confidentiality of the library use records and adding library cards and membership status to the list of confidential matters.

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

1 1 Statewide Library Development System; Library User Records; Confidentiality. Amend RSA
2 201-D:11, I and II to read as follows:

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

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

14 2 New Paragraph; Library User Records; Confidentiality. Amend RSA 201-D:11 by inserting
15 after paragraph III the following new paragraph:

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

23 3 Effective Date. This act shall take effect January 1, 2026.

LBA
25-0492
4/1/25

HB 666-FN- FISCAL NOTE
AS AMENDED BY THE HOUSE (AMENDMENTS #2025-0332h and #2025-1307h)

AN ACT relative to adding restitution payment for violations of the confidentiality of the library use records and adding library cards and membership status to the list of confidential matters.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2025 through 2028.

AGENCIES CONTACTED:

Department of Natural and Cultural Resources