

# State of Tennessee

## PUBLIC CHAPTER NO. 744

### SENATE BILL NO. 2407

By Johnson, Haile, Crowe, Hensley, Rose, Walley, White

Substituted for: House Bill No. 2154

By Lamberth, Gant, Cepicky, Sherrell, Alexander, Zachary, Ogles, Cochran, Todd, Littleton, Powers, Reedy, Eldridge, Hurt, Carr

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, relative to public school libraries.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following as a new part:

#### **49-6-3801. Short title.**

This part is known and may be cited as the "Age-Appropriate Materials Act of 2022."

#### **49-6-3802. Definitions.**

As used in this part, unless the context otherwise requires:

(1) "Library collection" means the materials made available to students by a school operated by an LEA or by a public charter school, but does not include materials made available to students as part of a course curriculum; and

(2) "Materials" means books, periodicals, newspapers, manuscripts, films, prints, documents, microfilm, discs, cassettes, videotapes, videogames, applications, and subscription content in any form.

#### **49-6-3803. Materials review; removal.**

(a) Beginning with the 2022-2023 school year, each school operated by an LEA and each public charter school shall maintain a current list of the materials in the school's library collection. The list must be posted on the school's website.

(b) By the 2022-2023 school year, each local board of education and public charter school governing body shall adopt a policy for developing and reviewing school library collections. The policy must include:

(1) A procedure for the development of a library collection at each school that is appropriate for the age and maturity levels of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school;

(2) A procedure for the local board of education or public charter school governing body to receive and evaluate feedback from a student, a student's parent or guardian, or a school employee regarding one (1) or more of the materials in the library collection of the student's or employee's school; and

(3) A procedure to periodically review the library collection at each school to ensure that the school's library collection contains materials appropriate for the age and maturity levels of the students who may access the materials, and that is suitable for, and consistent with, the educational mission of the school.

(c) A local board of education or public charter school governing body shall evaluate each material for which feedback is provided according to the procedure established pursuant to subdivision (b)(2) to determine whether the material is appropriate for the age and maturity levels of the students who may access the materials, and to determine whether the material is suitable for, and consistent with, the educational mission of the school.

(d) If the local board of education or public charter school governing body determines that material contained in the school's library collection is not appropriate for the age and maturity levels of the students who may access the materials, or is not suitable for, or consistent with, the educational mission of the school, then the school shall remove the material from the library collection.

(e) The procedures adopted pursuant to this section are not the exclusive means to remove material from a school's library collection, and do not preclude an LEA, a school operated by an LEA, a public charter school, or the governing body of a public charter school from developing or implementing other policies, practices, or procedures for the removal of materials from a library collection.


SECTION 2. If a provision of this act or its application to a person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act are severable.


SECTION 3. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in a compilation or publication containing this act.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.


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PASSED: March 14, 2022

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 24<sup>th</sup> day of March 2022

  
BILL LEE, GOVERNOR