

FIRST REGULAR SESSION

SENATE BILL NO. 450

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time February 24, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

0511S.02I

AN ACT

To amend chapter 182, RSMo, by adding thereto one new section relating to public libraries, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 182, RSMo, is amended by adding thereto one new section, to be known as section 182.065, to read as follows:

182.065. 1. By January 1, 2010, every library that receives funding under chapter 181, RSMo, or this chapter, shall adopt written policies, consistent with contemporary community standards, on the following subjects:

(1) Determination of placement of books and other materials to restrict minors from gaining access to material that is obscene or pornographic for minors, as the terms "obscene" and "pornographic for minors" are defined in section 573.010, RSMo, except in collections that require the written permission of a parent or guardian of an unemancipated minor; and

(2) Procedures for members of the public to:

(a) Challenge the placement of books and other materials as provided in subdivision (1) of this subsection; and

(b) Provide comment and guidance on the development of and changes to existing policies covered under this subsection.

2. As an alternative, any library that does not comply with subsection 1 of this section shall prominently display a statement in substantially the following form:

"This library may contain uncensored materials that may be objectionable and offensive to minors."

3. Each library that receives funding under chapter 181, RSMo,

22 or this chapter, shall report annually in the report required under this
23 chapter the number of placement complaints and the resolution of such
24 complaints.

25 4. Copies of policies required by this section shall be recorded
26 with the city or county, as appropriate, and made easily available to
27 the public at both the library and the city or county government office.

28 5. Any violation of this section shall be subject to a penalty as set
29 out in section 162.091, RSMo.

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