

SECOND REGULAR SESSION

# SENATE BILL NO. 735

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time January 6, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

3323S.01I

## 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  
2 section, to be known as section 182.065, to read as follows:

**182.065. 1. By January 1, 2011, every library that receives  
2 funding under chapter 181, or this chapter, shall adopt written policies,  
3 consistent with contemporary community standards, on the following  
4 subjects:**

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

11       **(2) Procedures for members of the public to:**

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

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

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

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

21       **3. Each library that receives funding under chapter 181, or this**

22 chapter, shall report annually in the report required under this chapter  
23 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 library board member, officer, or employee who violates  
29 this section shall be subject to the penalties imposed under section  
30 162.091.

Unofficial ✓

Bill

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