

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

SB24-049 be amended as follows:

1 Amend printed bill, page 2, strike lines 2 through 13.

2 Strike pages 3 through 7.

3 Page 8, strike lines 1 through 25 and substitute:

4 **"SECTION 1. Legislative declaration.** (1) Because librarians
5 are highly trained and educated and they intentionally and thoughtfully
6 select library resources for their specific communities to educate and
7 entertain library patrons, the general assembly hereby finds and declares
8 that:

9 (a) A full range of books and other library resources should be
10 provided for the interest and enlightenment of all people in the
11 communities that libraries serve;

12 (b) The opportunity to be exposed to a wide variety of
13 perspectives and experiences via books and other library materials
14 engenders empathy and understanding;

15 (c) Recent challenges to library materials have targeted various
16 protected classes, including people based on their race and sexual
17 orientation, constituting dangerous discrimination and limiting people
18 from adequate representation and participation in institutional public life;

19 (d) Parents and other community members have challenged the
20 inclusion of library resources in libraries, including public and school
21 libraries and have demanded removal of library resources, which has
22 resulted in the removal of library resources;

23 (e) Removing library resources prevents others from examining,
24 enjoying, and learning from the removed library resources; and

25 (f) A library should not compromise the learning opportunities of
26 the communities they serve by precluding patrons from using library
27 resources unless pursuant to a reconsideration process.

28 **SECTION 2.** In Colorado Revised Statutes, **add** 22-1-144 as
29 follows:

30 **22-1-144. School library - content - reconsideration of library**
31 **resources - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE
32 CONTEXT OTHERWISE REQUIRES:

33 (a) "INSTITUTE" MEANS THE GOVERNING BOARD OF THE STATE
34 CHARTER SCHOOL INSTITUTE.

35 (b) "LIBRARY RESOURCE" MEANS MATERIAL, BOTH PRINT AND
36 NON-PRINT, FOUND IN A LIBRARY THAT SUPPORTS CURRICULAR AND
37 PERSONAL INFORMATION NEEDS. PRINT ITEMS INCLUDE BOOKS,

1 MAGAZINES, NEWSPAPERS, PAMPHLETS, MICROFICHE, OR MICROFILM.
2 NON-PRINT ITEMS INCLUDE FILMS, DISC RECORDS, FILMSTRIPS, SLIDES,
3 PRINTS, AUDIOTAPES, VIDEOTAPES, COMPACT DISCS, COMPUTER
4 SOFTWARE, LIBRARY PROGRAMS, AND EXHIBITS.

5 (c) "PARENT" MEANS A BIOLOGICAL OR ADOPTIVE MOTHER OR
6 FATHER OR STEPMOTHER OR STEPFATHER OF A CHILD OR ANY OTHER
7 INDIVIDUAL HAVING LEGAL OR PHYSICAL CUSTODY OF A CHILD.

8 (2) IF A SCHOOL HAS DEVELOPED A PROCESS FOR
9 RECONSIDERATION OF LIBRARY RESOURCES ON OR BEFORE JULY 1, 2024
10 AND THAT PROCESS USES CRITERIA SUBSTANTIALLY SIMILAR TO THE
11 CRITERIA IN SUBSECTIONS (2)(a) THROUGH (2)(f) OF THIS SECTION, THE
12 SCHOOL MAY USE THE CRITERIA IT DEVELOPED TO EVALUATE A REQUEST
13 FOR RECONSIDERATION. IF A SCHOOL DOES NOT HAVE AN EXISTING
14 PROCESS FOR RECONSIDERATION OF A LIBRARY RESOURCE ON OR BEFORE
15 JULY 1, 2024, OR IF A SCHOOL HAS DEVELOPED A PROCESS FOR
16 RECONSIDERATION THAT EMPLOYS CRITERIA THAT IS NOT SUBSTANTIALLY
17 SIMILAR TO THE CRITERIA IN SUBSECTIONS (2)(a) THROUGH (2)(f) OF THIS
18 SECTION, THE SCHOOL SHALL CREATE A PROCESS TO ADDRESS A REQUEST
19 FOR RECONSIDERATION OF A LIBRARY RESOURCE AND THAT PROCESS FOR
20 RECONSIDERATION SHALL CONSIDER THE CRITERIA IN SUBSECTIONS (2)(a)
21 THROUGH (2)(f) OF THIS SECTION. THE CRITERIA ARE AS FOLLOWS:

22 (a) WHETHER A LIBRARY RESOURCE CONTRIBUTES TO THE
23 STANDARD CURRICULUM OF THE SCHOOL DAY OR SUPPORTS THE INTERESTS
24 OF STUDENTS;

25 (b) WHETHER A LIBRARY RESOURCE IS EXCLUDED BECAUSE OF AN
26 AUTHOR'S POLITICAL OR RELIGIOUS VIEWS, DISABILITY, RACE, COLOR, SEX,
27 SEXUAL ORIENTATION, GENDER EXPRESSION, NATIONAL ORIGIN, OR
28 ANCESTRY;

29 (c) WHETHER A LIBRARY RESOURCE IS EXCLUDED BECAUSE OF
30 CONTENT THAT PORTRAYS POLITICAL OR RELIGIOUS VIEWS, DISABILITY,
31 RACE, COLOR, SEX, SEXUAL ORIENTATION, GENDER EXPRESSION, NATIONAL
32 ORIGIN, OR ANCESTRY;

33 (d) WHETHER A LIBRARY RESOURCE IS PART OF A BALANCED
34 COLLECTION OF PRIMARY AND FACTUAL MATERIAL ON THE APPLICABLE
35 STUDENTS' LEVEL REGARDING VARIOUS IDEOLOGIES OR PHILOSOPHIES
36 WHICH EXERT OR HAVE EXERTED A STRONG FORCE, EITHER FAVORABLY OR
37 UNFAVORABLY IN GOVERNMENT, CURRENT EVENTS, POLITICS, EDUCATION,
38 AND OTHER PHASES OF LIFE;

39 (e) WHETHER A LIBRARY RESOURCE CONTRIBUTES TO A GLOBAL
40 PERSPECTIVE AND PROMOTES DIVERSITY AS PART OF A COLLECTION THAT
41 INCLUDES LIBRARY RESOURCES PUBLISHED BY AUTHORS AND
42 ILLUSTRATORS OF ALL CULTURES; AND

43 (f) WHETHER THE VALUE OF A LIBRARY RESOURCE IS JUDGED AS

1 A WHOLE WORK, TAKING INTO ACCOUNT THE PURPOSE OF THE LIBRARY
2 RESOURCE RATHER THAN INDIVIDUAL, ISOLATED EXPRESSIONS OR
3 INCIDENTS IN THE LIBRARY RESOURCE.

4 (3) ONLY A STUDENT ATTENDING A SCHOOL OR A PARENT OF A
5 STUDENT ATTENDING A SCHOOL MAY LODGE A REQUEST FOR
6 RECONSIDERATION OF A LIBRARY RESOURCE AND ONLY AS TO A LIBRARY
7 RESOURCE AT THE SCHOOL LIBRARY OF THE SCHOOL THAT THE STUDENT
8 ATTENDS.

9 (4) EACH SCHOOL DISTRICT IN THE STATE AND THE INSTITUTE
10 SHALL POSTS NOTICE OF ITS RECONSIDERATION PROCESS ON THE SCHOOL
11 DISTRICT'S WEBSITE AND SHALL ENSURE THAT THE NOTICE INCLUDES A
12 SUMMARY OF THE REQUIREMENTS OF THIS SECTION AND THE STANDARDS
13 DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

14 (5) A LIBRARY RESOURCE MAY BE RECONSIDERED NO MORE THAN
15 ONCE EVERY FIVE YEARS."

16 Renumber succeeding subsection accordingly.

17 Page 10, strike lines 7 through 19.

18 Renumber succeeding sections accordingly.

19 Page 12, line 18, after "trustees" insert "OR OTHER GOVERNING
20 AUTHORITY".

21 Page 13, line 14 strike "CONSULTING WITH AND CONSIDERING" and
22 substitute "CONSIDERING".

23 Page 14, strike lines 18 and 19 and substitute "RECONSIDERATION."

24 Page 15, line 4, strike "DEVELOPED AND POSTED ON THE LIBRARY'S
25 WEBSITE".

26 Page 15, strike lines 9 through 11 and substitute:

27 "(VII) REQUIRING A LIBRARY TO POST ITS RECONSIDERATION
28 PROCESS ON THE LIBRARY'S WEBSITE AND INCLUDE THE STANDARDS
29 DESCRIBED IN SUBSECTION (1)(c)(IV) OF THIS SECTION;"

30 Page 15, line 15, strike "WEBSITE." and insert "WEBSITE; AND

31 (IX) A COMPLETED REQUEST FOR RECONSIDERATION FORM IS A
32 MATTER OF PUBLIC RECORD. THE COMPLETED FORM, WHICH MUST INCLUDE
33 THE PERSONALLY IDENTIFIABLE INFORMATION OF THE REQUESTOR, IS AN

1 OPEN RECORD UNDER THE "COLORADO OPEN RECORDS ACT", PART 2 OF
2 ARTICLE 72 OF TITLE 24."

3 Page 16, after line 9 insert:

4 "(7) A LIBRARY RESOURCE MAY BE RECONSIDERED NO MORE THAN
5 ONCE EVERY FIVE YEARS."

6 Page 16, line 26, strike "AND" and strike "SPACES." and substitute
7 "SPACES, LIBRARY PROGRAMS, AND EXHIBITS."

8 Strike "SOFTWARE." and substitute "SOFTWARE, LIBRARY PROGRAMS, AND
9 EXHIBITS." on: **Page 10**, line 6; **Page 11**, line 16; **Page 12**, line 13; and
10 **Page 16**, line 9.

11 After "LIBRARY" insert "ESTABLISHED PURSUANT TO THIS PART 1" on:
12 **Page 15**, lines 17 and 24.

13 After the second "LIBRARY" insert "ESTABLISHED PURSUANT TO THIS PART
14 1" on: **Page 15**, lines 18 and 25.

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