



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

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| Drafting Number: | LLS 24-1177 | Date: | April 25, 2024 |
| Prime Sponsors: | Sen. Cutter; Michaelson Jenet Rep. Joseph | Bill Status: | Senate Education |
| | | Fiscal Analyst: | John Armstrong 303-866-6289 john.armstrong@coleg.gov |

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| Bill Topic: | STANDARDS FOR DECISIONS REGARDING LIBRARY RESOURCES |
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| Summary of Fiscal Impact: | <input type="checkbox"/> State Revenue | <input type="checkbox"/> State Transfer | <input checked="" type="checkbox"/> Local Government |
| | <input type="checkbox"/> State Expenditure | <input type="checkbox"/> TABOR Refund | <input type="checkbox"/> Statutory Public Entity |

The bill requires public library boards to establish procedures regarding the removal of library resources and creates protections for library staff members. The bill will increase state and local government workload beginning in FY 2024-25.

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| Appropriation Summary: | No appropriation is required. |
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| Fiscal Note Status: | The fiscal note reflects the introduced bill. Due to time constraints, this analysis is preliminary and will be updated following further review and any additional information received. |
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Summary of Legislation

The bill requires boards of public libraries to establish policies for the acquisition, retention, and display of library resources, as well as for consideration of the removal of materials from circulation upon a request from a patron. Libraries must not remove materials based on demographic characteristics of the author of the material or based on partisan disapproval of the material in question.

Libraries may remove materials from circulation only if the material has been reviewed based on the policy that the board adopts. Boards that adopt policies for the potential removal of materials must post that policy publicly. A person who requests that a material be removed from circulation must reside in the service area of the library in question. These requests to remove materials are open records under the Colorado Open Records Act.

The bill protects any library staff member from retaliation, discrimination, or termination for refusing to comply with a request to remove material from circulation for any resource that is not removed in accordance with board policy.

State Expenditures

Department of Education. The State Librarian in the Department of Education will provide technical assistance to public libraries in complying with the provisions of the bill. This workload will begin in FY 2024-25 and can be accomplished within existing resources.

Judicial Department. The bill may result in additional civil lawsuits for claims of discrimination on behalf of library staff members who refuse to remove materials from circulation. Any workload increase is assumed to be minimal and no change in appropriations is required.

Local Government

Library boards. Boards of public libraries will update their policies and procedures to comply with the bill. To the extent that the bill results in additional time spent on considering the removal of resources, workload will increase for library boards and their staff members.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Education

Judicial

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).