



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

SB 25-063: LIBRARY RESOURCE DECISION STANDARDS FOR SCHOOLS

Prime Sponsors:

Sen. Cutter; Michaelson Jenet

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Published for: Senate Education**Drafting number:** LLS 25-0131**Version:** Initial Fiscal Note**Date:** February 3, 2025

Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill requires public school libraries to establish procedures regarding the removal of resources and creates certain protections for school librarians.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- School Districts

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill requires local school boards and the Charter School Institute (CSI) in the Colorado Department of Education to establish policies for the acquisition, retention, and display of school library resources, and for removing any materials from circulation. The bill requires certain elements to be included in these policies, including that materials cannot be removed based on the identity of the author of the material or based on partisan disapproval of the material in question. Additionally, school libraries must not remove materials based on sexually explicit content unless they apply criteria set forth in the United States Supreme Court case *Miller v. California*.

If a local school board or the CSI adopts a written policy for the reconsideration of a library resource, that policy must meet certain standards. If no policy is adopted, or if the policy fails to meet the bill's standards, a local school board or the CSI may not remove a library resource from its collection.

A person who requests that a material be removed from circulation must be a parent of a student who attends the school. Neither a local school board nor the CSI can reconsider the removal of the same material more than once every two years. Any request to remove materials is an open record under the Colorado Open Records Act.

The bill protects school librarians and volunteers from retaliation, discrimination, or termination for refusing to remove material from circulation for any resource that is not removed in accordance with board policy.

State Revenue and Expenditures

Department of Education

The State Librarian in the Department of Education may provide technical assistance to local school boards and the CSI for compliance with the bill. This workload will begin in the current FY 2024-25 and can be accomplished within existing resources.

Judicial Department

The bill may result in additional civil lawsuits from claims of discrimination on behalf of school librarians who refuse to remove materials from circulation. Any increase in fee revenue or workload for the Judicial Department is assumed to be minimal.

School District

School boards will update their policies and procedures to comply with the bill. If the bill results in additional time spent to consider removing resources from circulation based on parent challenges, workload will increase for the school board to determine if the material may be removed based on policy.

Effective Date

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

State and Local Government Contacts

Early Childhood

Law

Education

School Districts

Judicial