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HOUSE BILL 27

57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025

INTRODUCED BY

Kathleen Gates

AN ACT

RELATING TO LIBRARIES; ENACTING THE LIBRARIAN PROTECTION ACT;
PROSCRIBING THE BANNING OF LIBRARY MATERIALS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be cited as the "Librarian Protection Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the Librarian Protection Act:

A. "ban" means the act of removing or prohibiting the addition of materials from a public library not in accordance with an established and approved collection development policy;

B. "challenge" means an attempt to remove or restrict materials from a public library; and

C. "public library" means a New Mexico organization

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1 that offers basic library services that are available to the
2 general public.

3 SECTION 3. [NEW MATERIAL] PUBLIC LIBRARIES--PROHIBITING
4 BOOK BANNING.--

5 A. A public library shall not be eligible to
6 receive state funds unless the library:

7 (1) adopts a written policy that complies with
8 the American library association's library bill of rights, as
9 adopted in 2019, including the requirement that library
10 materials not be proscribed or removed because of partisan or
11 doctrinal disapproval of the material's content or based on the
12 author's race, nationality, gender identity, sexual orientation
13 or political or religious views; or

14 (2) adopts a written policy prohibiting the
15 practice of banning books or other library materials within the
16 library or library system on the basis of partisan or doctrinal
17 disapproval of the material's content or based on the author's
18 race, nationality, gender identity, sexual orientation or
19 political or religious views pursuant to rules promulgated by
20 the state librarian.

21 B. A political subdivision of the state shall not
22 reduce funding for a public library due to the library's
23 compliance with the provisions of Subsection A of this section.

24 C. The provisions of Subsection A of this section
25 are not intended to curtail the right of individuals to

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1 challenge library materials as part of an approved library
2 collection development policy following established library
3 materials challenge procedures.

4 SECTION 4. EFFECTIVE DATE.--The effective date of the
5 provisions of this act is July 1, 2025.

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