



LFC Requester: Rodriguez

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2025 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original Amendment
Correction Substitute

Date Prepared: 1/14 /25

Bill No: HB27

Agency Name and Code: PED - 924

Sponsor: Cates/Pope/Anaya

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Short Title: LIBRARIAN PROTECTION ACT

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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
N/A	N/A	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
N/A	N/A	N/A	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: N/A

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 27 (HB27) would create “The Librarian Protection Act.” To be eligible for state funding, the bill would require public libraries to adopt a written policy that complies with the [American Library Association's Library Bill of Rights](#) (2019) or prohibit the practice of banning books based on partisan or doctrinal disapproval, or the author's race, nationality, gender identity, sexual orientation, or political or religious views. The bill would also prohibit political subdivisions from reducing funding to libraries that comply with these provisions.

The bill has an effective date of July 1, 2025.

FISCAL IMPLICATIONS

The bill does not contain an appropriation.

SIGNIFICANT ISSUES

Attempts to censor more than 100 titles (at a time) occurred in 17 states: Colorado, Connecticut, Florida, Idaho, Illinois, Iowa, Kentucky, Maryland, Missouri, North Carolina, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, and Wisconsin. In New Mexico, recent years have seen attempts to ban and censor books in public libraries, including in:

- Rio Rancho, where, [according to KUNM](#), at least three challenged titles dealt with LGBTQ themes; and
- Los Alamos, where, [according to the University of New Mexico](#), books addressing LGBTQ themes or by LGBTQ authors were challenged.

The nexus between what materials are protected by the First Amendment of the US Constitution and what materials are not has become an increasingly difficult legal area to navigate. Recently, legal and community challenges to books covering certain topics has risen sharply across the country. According to the [American Library Association \(ALA\)](#), there were 1,247 documented demands to censor library books and resources in 2023. The number of titles targeted for censorship surged 65 percent in 2023 compared with 2022, reaching the highest levels ever documented in more than 20 years of tracking. This number tops the previous high from 2022, when 2,571 unique titles were targeted for censorship. Titles representing the voices and lived experiences of LGBTQIA+ and BIPOC individuals made up 47 percent of those targeted in censorship attempts.

The ALA reports that between January 1, 2024, and August 31, 2024, there were 414 attempts to censor library materials and services. In those cases, 1,128 unique titles were challenged. In the same reporting period in 2023, there were 695 attempts, with 1,915 unique titles challenged. Although the number of reports to date declined in 2024, the number of documented attempts to censor books continues to far exceed the number of attempts to censor books prior to 2020.

Groups and individuals demanding the censorship of multiple titles, often dozens or hundreds at a time, drove this surge. The [Alamogordo Town News](#) notes that in 2021, of more than 2,500 book challenges, 90 percent were challenges by organized censorship groups targeting multiple titles at a time, with 12 percent of challenges against two to three books, 38 percent targeting 10 to 99 books, and 43 percent targeting more than 100 books at a time.

PERFORMANCE IMPLICATIONS

None.

ADMINISTRATIVE IMPLICATIONS

None for the Public Education Department.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

There is a potential relationship to [HB44, Protect of Minors from Harmful Materials](#), which proposes the Protection of Minors from Distribution of Harmful Material Act, which requires commercial entities to employ “reasonable age verification methods” before allowing access to a website, one-third of the contents of which comprise material that is harmful to minors, which is essentially defined as sexual or prurient material that, taken as a whole, “lacks serious literary, artistic, political, and scientific value for minors.” The bill creates a private right of action for aggrieved persons for damages, court costs, and reasonable attorney fees for enforcement of the proposed act.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Public libraries in New Mexico may be subject to increasing numbers of challenges to books and other library materials, based upon partisan, political, or religious views, hampering their general mission of provision of information, books, and other resources to the public.

AMENDMENTS

None.