

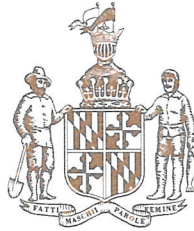
NANCY J. KING  
*Legislative District 39*  
Montgomery County

Majority Leader

Budget and Taxation Committee

*Chair*

Education, Business and  
Administration Subcommittee



James Senate Office Building  
11 Bladen Street, Room 120  
Annapolis, Maryland 21401  
301-858-3686 · 410-841-3686  
800-492-7122 Ext. 3686  
Fax 301-858-3670 · 410-841-3670  
Nancy.King@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**Senate Bill 738 – Freedom to Read Act**

March 27, 2024

Madame Chair and Members of the Ways and Means Committee:

According to the Maryland State Library Agency, Maryland's public libraries have seen a 133% increase in formal challenges to their collections, and a 263% increase in informal challenges since 2019. And, in a September 2023 survey by the Maryland Association of School Librarians (MASL), 70% of respondents reported book challenges at their school districts.

Along with these challenges, librarians in our state and across the county have seen a rise in what the American Library Association refers to as Hateful Conduct. They define hateful conduct as conduct that promotes intimidation and hate against people on the basis of race, ethnicity, national origin, sexual orientation, gender, gender identity, religious affiliation, age, disability, or serious disease. While hateful conduct often does not meet the criteria of criminal harassment or stalking statutes, it is still behavior that librarians, patrons and library collections are being subjected to.

Senate Bill 738 - The Freedom to Read Act - is being introduced to protect Maryland's library collections, the librarians who curate them and the patrons who access them. This crucial and timely legislation will safeguard our libraries and librarians from becoming the next frontier of censorship aimed at limiting the world views accessible to our communities.

**Local School System Library Media Programs**

The Freedom to Read Act as amended will establish a State policy for local school systems in which they must operate their school library media program consistent with the following standards:

- The materials, services and resources provided in a school library are provided for the interest, information, and instructional support of students and school personnel of the schools the program services;
- Materials may not be excluded from a school library media program solely because of the origin, background, or views of the individual who created the material; and
- Materials may not be excluded or removed from the catalogue of a school library media program because of partisan, ideological, or religious disapproval.

Additionally, each local school system must develop a policy and procedure for reviewing objections to material. The policy and procedures must:

- Establish a uniform process to submit and objection to materials in a school library media and the objection can only come from a student, parent or guardian of a student enrolled in a school in the local school system or school personnel;
- Require materials under review to remain available for use by students and school personnel until the review process has concluded; and
- Establish a reasonable timeline to conduct and conclude the review process in a timely manner.

And finally, the Freedom to Read Act will protect a librarian, certified library media specialist or school library support staff from punitive actions for performing their job duties consistent with the state standards.

**County Library Systems, State Library Resource Center, Regional Resource Centers, Correctional Facility Libraries, Maryland State Library for the Blind and Print Disabled, Maryland Deaf Culture Digital Library, and a Metropolitan Cooperative Serve Program**

For these libraries, the Freedom to Read Act will establish a set of State Standards for Libraries that enshrine into law the following:

- Library materials exist and should be provided for the interest, information, and enlightenment of all persons the library serves in Maryland.
- A library should not exclude material from its catalog because of the origin, background, or views of a person who created the material.
- A library should not proscribe or remove material from its catalog because of partisan, ideological or religious disapproval.

The bill then directs these libraries to adopt and follow a written policy consistent with these State Standards.

And finally, this legislation as amended:

- protects our public library workers by preventing punitive actions being taken against them for their adherence to the State Standards for Libraries; and
- safeguards Maryland's public library collections from intentional attempts to remove or damage materials by increasing fines for offenders.

Libraries and librarians play an integral role in our communities and are a treasure that deserves all the support and protection that we can offer, and so I respectfully request a favorable report on Senate Bill 738.