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HOUSE BILL 1051

By McKenzie

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1 and Title 49, Chapter 6, relative to educational materials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by deleting part 38 and substituting:

49-6-3801.

This part is known and may be cited as the "Freedom to Read Act."

49-6-3802.

As used in this part, unless the context otherwise requires:

(1) "Classroom library" means materials donated to, purchased by, or acquired by an individual teacher, which are made available in the teacher's classroom to students assigned to the teacher's class or classes;

(2) "Library collection" means the materials made available to students by a school operated by an LEA or by a public charter school, but does not include materials made available to students as part of a course curriculum or in a classroom library; and

(3) "Materials" means books, periodicals, newspapers, manuscripts, films, prints, documents, microfilm, discs, cassettes, videotapes, videogames, applications, and subscription content in any form.

49-6-3803.

(a) Materials in a library collection or classroom library must be:

(1) Suitable for the age and maturity levels of the students who may access the materials; and

(2) Provided for the interest, information, and instructional support of students and employees of the school.

(b) A material must not be excluded or removed from a library collection or classroom library because of:

(1) The origin, background, or views of the individual who created the material; or

(2) Partisan, ideological, or religious disapproval of the material.

(c) Each local board of education and public charter school governing body shall adopt a policy for developing and reviewing the library collection of the LEA or public charter school. The policy must include a uniform procedure for the LEA or public charter school to receive and review feedback from a student, a student's parent or guardian, or a school employee regarding one (1) or more of the materials in the library collection of the student's or employee's school.

(d) If an LEA or public charter school receives feedback for a material pursuant to subsection (c), then the LEA or public charter school shall review the material in a timely manner to determine if the material is suitable for the age and maturity level of the students who may access the material.

(e) A material under review pursuant to subsection (d) must remain available in the school's library collection until the LEA's or public charter school's review is complete and the LEA or public charter school determines the material is not suitable for the age and maturity level of the students who may access the material.

SECTION 2. Tennessee Code Annotated, Section 49-6-2201, is amended by deleting subsection (m).

SECTION 3. This act takes effect July 1, 2025, the public welfare requiring it.