

State of Misconsin 2023 - 2024 LEGISLATURE

LRB-4777/1 SWB:cdc

## 2023 SENATE BILL 598

October 30, 2023 – Introduced by Senators QUINN, NASS and TOMCZYK, cosponsored by Representatives DITTRICH, O'CONNOR, MAGNAFICI, MICHALSKI, GUNDRUM, PENTERMAN, ALLEN, GOEBEN, WICHGERS and ROZAR. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

1 AN ACT to renumber 43.30 (4); and to create 43.30 (4) (b) of the statutes;

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relating to: parental notification related to public library materials.

#### Analysis by the Legislative Reference Bureau

This bill requires public libraries to develop and implement a policy under which the custodial parent or guardian of a child who is under the age of 16 is notified of each document or material the child checks out from a public library as soon as is practicable, but no later than 24 hours after the checkout. The bill requires the library to post notice of the library's notification policy in a prominent place in the library and on the library's website, if any. Under current law, subject to various exceptions, library records that identify who borrows or uses a library material may not be disclosed. One of the exceptions is for custodial parents or guardians of children who are under the age of 16. Specifically, current law requires that a library supported by public funds disclose to the custodial parent or guardian of a child who is under the age of 16 all library records relating to the use of the library's documents or other materials, resources, or services by the child, but only upon request of the custodial parent or guardian.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2023 - 2024 Legislature

### **SENATE BILL 598**

1	<b>SECTION 1.</b> $43.30(4)$ of the statutes is renumbered $43.30(4)(a)$ .
2	<b>SECTION 2.</b> 43.30 (4) (b) of the statutes is created to read:
3	43.30 (4) (b) A library supported in whole or part by public funds shall develop
4	and implement a policy under which the library notifies a custodial parent or
5	guardian of a child who is under the age of 16 of each document or material, in any
6	format, that the child borrows from the library as soon as practicable, but no later
7	than 24 hours after the child borrows the document or material from the library. The
8	library shall post a notice of the library's notification policy under this paragraph in
9	a prominent place in the library and on the library's website, if any.
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### (END)