

Code: Section: [Up^](#) [Add To My Favorites](#)**EDUCATION CODE - EDC****TITLE 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32527]** (Title 1 enacted by Stats. 1976, Ch. 1010.)**DIVISION 1 GENERAL EDUCATION CODE PROVISIONS [1. - 32527]** (Division 1 enacted by Stats. 1976, Ch. 1010.)**PART 11. LIBRARIES [18010 - 20092]** (Part 11 enacted by Stats. 1976, Ch. 1010.)**CHAPTER 10. California Freedom to Read Act [19800 - 19802]** (Chapter 10 added by Stats. 2024, Ch. 941, Sec. 1.)

19800. This chapter shall be known, and may be cited, as the California Freedom to Read Act.

(Added by Stats. 2024, Ch. 941, Sec. 1. (AB 1825) Effective January 1, 2025.)

19801. The Legislature finds and declares all of the following:

- (a) Libraries are essential for information, education, and enlightenment of all people of the community the library serves.
- (b) Libraries provide access to books that offer teachable moments for readers of all ages and expand our understanding of people with different backgrounds, ideas, and beliefs.
- (c) A person's right to use a library should not be denied or abridged solely because of personal characteristics, age, background, or views.
- (d) Removing and banning books from public libraries are dangerous acts of government censorship and erode our country's commitment to freedom of expression and the right to receive information.
- (e) Librarians are professionals trained to not impose their own thoughts and opinions on which ideas are right, but to make knowledge and ideas available so that people have the freedom to choose what to read.
- (f) Librarians and library staff receive extensive professional training to develop and curate collections to meet the broad and diverse interests of their communities, which include, but are not limited to, literary value and developmental appropriateness of material.

(Added by Stats. 2024, Ch. 941, Sec. 1. (AB 1825) Effective January 1, 2025.)

19802. (a) (1) Every public library jurisdiction that directly receives any state funding, including, but not limited to, state funding pursuant to this part, shall establish, adopt, and maintain a written and publicly accessible collection development policy for its public libraries by January 1, 2026, and shall submit that collection development policy to the State Librarian. The State Librarian or their designee may provide technical assistance to public libraries in developing their collection development policy. The collection development policy, at a minimum, shall do all of the following:

(A) Establish a process for community members to share their concerns regarding library materials and to request that library materials be reconsidered for inclusion in the library's collection.

(B) Guide the selection and deselection of library materials.

(C) Acknowledge that the public library's collection meets the broad and diverse interests of the community and respect both the library's autonomy and their specific community needs.

(D) Establish that the public library serves as a center for voluntary inquiry and the dissemination of information and ideas.

(E) Acknowledge that library materials should be provided for the interest, information, and enlightenment of all people, and should present diverse points of view in the collection as a whole.

(F) Acknowledge the right of the public to receive access to a range of social, political, aesthetic, moral, and other ideas and experiences.

(2) A librarian, library media specialist, other employee, or contractor at a public library shall not be subject to termination, demotion, discipline, or retaliation for either of the following:

(A) Refusing to remove a library material before it has been reviewed in accordance with the public library's process for the reconsideration of library materials established pursuant to subparagraph (A) of paragraph (1).

(B) Making displays, acquisitions, or programming decisions that the employee or contractor believes, in good faith, are in accordance with the requirements of this section.

(b) (1) The governing board or body of a public library, or any body or commission designated to review the procurement, retention, or circulation of, or access to, library materials, shall not proscribe or prohibit the circulation or procurement of, or access to, any library materials in a public library because of the topic addressed by the materials or because of the views, ideas, or opinions contained in those materials.

(2) (A) Library materials in public libraries shall not be excluded, and access to library materials shall not be limited, solely on the bases of any of the following:

(i) The race, nationality, gender identity, sexual orientation, religion, disability, political affiliation, or any other characteristic listed in subdivision (a) of Section 12940 of the Government Code, or the socioeconomic status of a subject of the library materials, an author of the library materials, the source of the library materials, or the perceived or intended audience for the library materials.

(ii) The library materials contain inclusive and diverse perspectives.

(iii) The library materials may include sexual content, unless that content qualifies as obscene under United States Supreme Court precedent.

(B) This paragraph does not apply to library materials excluded, or for which access is limited, pursuant to a library maintenance and deaccession policy.

(3) The governing board or body of a public library, or any body or commission designated to review the procurement, retention, or circulation of, or access to, library materials, shall not create policies or procedures that limit or restrict access to library materials offered by the public library unless the policies or procedures are adopted to preserve the safety or security of the library materials, are time, place, and manner restrictions not based on the content of materials, or are programs that provide for the effective management of the library and its resources to preserve access for all library users.

(c) A person's right to use a public library and its resources shall not be denied or abridged solely because of personal characteristics, age, background, or views.

(d) All people, regardless of personal characteristics, age, background, or views, possess a right to privacy and confidentiality in the materials they borrow from libraries.

(e) This section applies to a public library, as defined in Section 18015, including any public library operated on a contractual basis, or by a city, including a general law or charter city, county, special district, or joint powers authority, except that it does not apply to any school library, as defined in Section 18710, or any library operated by the governing board of a school district, a county board of education, or the governing body of a charter school.

(f) For purposes of this section, the following definitions apply:

(1) "Library materials" includes, but is not limited to, books, periodicals and serials, audio materials, audiovisual materials, instructional materials, maps, databases, government documents, records, photographs, and all other similar materials, whether in tangible or electronic form. "Library materials" does not include hardware, tools, instruments, computers, appliances, or other items that are not for the primary purpose of conveying ideas or information.

(2) "Public library jurisdiction" means a county, city and county, city, or any district that is authorized by law to provide public library services and that operates a public library described in subdivision (e).

