

# SB1812



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1812

Introduced 2/9/2023, by Sen. Mike Simmons

#### SYNOPSIS AS INTRODUCED:

50 ILCS 105/4.2 new

Amends the Public Officer Prohibited Activities Act. Provides that a public officer, employee, board, or representative of a governmental unit may not ban or otherwise prohibit a book from being available for reading or circulation by members of the public in a library, school, or other publicly funded facility. Provides that the provisions do not restrict the ability to limit books in schools or in another publicly funded facility based upon the age and development level of persons who will have access to those books. Limits the concurrent exercise of home rule powers.

LRB103 28287 AWJ 54666 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Public Officer Prohibited Activities Act is  
5 amended by adding Section 4.2 as follows:

6 (50 ILCS 105/4.2 new)

7 Sec. 4.2. Book banning prohibited.

8 (a) As used in this Section, "governmental unit" means a  
9 unit of local government or school district.

10 (b) A public officer, employee, board, or other  
11 representative of a governmental unit may not ban or otherwise  
12 prohibit a book from being available for reading or  
13 circulation by members of the public in a library, school, or  
14 other publicly funded facility.

15 (c) This Section does not restrict the ability to limit  
16 books in schools or another publicly funded facility based  
17 upon the age and development level of persons who will have  
18 access to those books.

19 (d) A home rule unit may not regulate books in a manner  
20 inconsistent with this Section. This Section is a limitation  
21 under subsection (i) of Section 6 of Article VII of the  
22 Illinois Constitution on the concurrent exercise by home rule  
23 units of powers and functions exercised by the State.