

FACT SHEET

BOOK BAN BILLS: SB 13 AND SB 412



These bills seek to make it harder for Texan students to access books and information that reflect their realities and prepare them for their futures.

SENATE BILL 13

This law creates new vague and expansive categories of banned books in public school libraries. It also allows school district “advisory councils” to make recommendations for book acquisitions, removals, and challenges based on “local community values”—all without requiring input from trained educators and librarians. Applying broad and vague concepts like profanity, indecency, community values, and educational suitability to Texas’ public school library books will likely lead to the discriminatory censorship of books—like books about LGBTQIA+ issues, racism, and sexual health—as well as the censorship of many classic works of literature.

- As school districts make their decisions on library books, parents and students can make their views and community values known and support the freedom to read by commenting at school board meetings and contacting their trustees.

SENATE BILL 412

This law encourages book banning by removing the “scientific, educational, governmental, or other similar” justifications from the list of affirmative defenses to the criminal offense of giving a minor “harmful material.” This casts doubt on what materials are truly “harmful to minors” and will discourage parents, teachers, librarians, and others from providing youth with important information on sexual health and abuse, LGBTQIA+ identities, and other important topics. It could also lead to retaliatory and targeted complaints and self-censorship.

- Parents, teachers, librarians, scientists and others should know their rights and be aware of the definition of a material that is “harmful to minors.” In order to meet that description, a book must first be “taken as a whole”—short, out-of-context passages can’t be considered in isolation. Further, a book is not considered harmful to minors unless it “is utterly without redeeming social value for minors.” Texas Penal Code § 43.24.

Government officials, police, and prosecutors shouldn’t decide what books go in libraries and politicians should not attempt to control what we read, how we think, or what we teach our children. Instead of trying to shield students from reality, we should prepare them for their futures. And instead of making it easier to vilify and jail our state’s educators and parents, we should provide them with additional resources and value their judgment.

If you or your family are impacted by these bills, please reach out to us at intake.aclutx.org.