

**CURRENT STATUS: PARTIALLY IN EFFECT, PARTIALLY BLOCKED DURING THE PRELIMINARY STAGE OF THE CASE** (the Fifth Circuit Court declared the parts of the bill affecting book vendors likely unconstitutional and affirmed the district court’s preliminary injunction- the rest remains in effect).

## What is House Bill 900?

- HB 900 was passed during the 2023 Texas legislative session.
- The bill seeks to completely ban, or require parental consent for, library books in public school libraries by creating several new categories of banned library materials.
  - These categories—which include “educationally unsuitable,” “pervasively vulgar,” “sexually relevant,” and “sexually explicit”—either have complicated, subjective definitions or are completely undefined by the bill.

## What is the lawsuit against it?

- Austin’s BookPeople and West Houston’s Blue Willow Bookshop, the American Booksellers Association, the Association of American Publishers, the Authors Guild and the Comic Book Legal Defense Fund filed suit to block the law.
- For information and updates on this lawsuit, visit: [www.bookpeople.com/faq/hb-900](http://www.bookpeople.com/faq/hb-900)

## What are our concerns about the bill?

- Because the banned book categories are vague, subjective, and sometimes completely undefined, school officials may ban books just because they disagree with them.
  - This means that books about LGBTQIA+ people and experiences, race and racism, and people of color and of religious minorities may be banned.
  - This would not only lead to a hostile, unwelcoming educational environment, but it would violate the First Amendment rights of students.
- Because the banned book categories are overly broad, classic works of literature and renowned religious, artistic, and scientific texts may be banned, simply for containing passing references to anatomy, sexual situations, or curse words.
- The bill could interfere with the rights of parents who wish their children to have access to a diverse and inclusive range of reading materials at school.
- The bill’s requirements for school libraries will force them to invest significant time and money.
- This could cause libraries to close or to reduce their services, harming reading and learning for all students.

## If you or someone you know is impacted by HB 900:

- Talk to your school administrators and librarians, and show up to your school board meetings when book bans are being considered:
  - Reject the lies and misinformation from certain politicians who are determined to bully and stigmatize LGBTQIA+ youth and students of color in our schools.
  - Speak your values: All students—no matter their race, religion, gender identity or sexual orientation—deserve access to culturally relevant and equitable resources that reflect their experiences. All students also deserve a safe and effective learning environment. Having the opportunity to learn and talk about the history and cultures of Indigenous communities, people of color, LGBTQIA+ folks, and other marginalized communities benefits all students and prepares them to create a better future.
- Seek information! If you are unsure of your school's book policies, you can ask your school administrators or librarians for information on the collection development policy and reconsideration policy/book challenge policy.
  - You can also ask for reconsideration challenge forms submitted to your school and submit public information requests if needed.
- Stand up for the First Amendment right of students to access information and for welcoming and inclusive school environments. We want our educators to provide every child with an accurate and quality education, and we want to make sure parents—not people using their political authority—are the ones leading.
- If you or someone you know is impacted by HB 900, or you become aware of a book ban under the bill, please reach out to us. We are here to support you and to keep fighting for an inclusive education for every Texas student.

### Contact us:

ACLU of Texas - [intake.aclutx.org](https://intake.aclutx.org)

Equality Texas - [info@EqualityTexas.org](mailto:info@EqualityTexas.org)

Human Rights Campaign - [feedback@hrc.org](mailto:feedback@hrc.org)

Lambda Legal - [lambdalegal.org/helpdesk](https://lambdalegal.org/helpdesk)

Texas Freedom Network - [tfn@tfn.org](mailto:tfn@tfn.org)

Transgender Education Network of Texas - [info@transtexas.org](mailto:info@transtexas.org)

Last updated July 30, 2024

