

House File 2040 - Introduced

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BY SHIPLEY

A BILL FOR

1 An Act relating to obscenity exemptions for public libraries
2 and educational institutions.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. REPEAL. Section 728.7, Code 2024, is repealed.

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill repeals Code section 728.7, which relates to
6 obscenity exemptions for public libraries and educational
7 institutions.

8 Code section 728.7 currently provides that nothing in Code
9 chapter 728 (obscenity) prohibits the use of appropriate
10 material for educational purposes in any accredited school, any
11 public library, or in any educational program in which a minor
12 is participating. Code section 728.7 further provides that
13 Code chapter 728 does not prohibit the attendance of minors
14 at an exhibition or display of art works or the use of any
15 materials in any public library.

16 Code section 728.1 defines "obscene material", which
17 includes material the average person, taking the material as
18 a whole and applying contemporary community standards with
19 respect to what is suitable material for minors, would find
20 appeals to the prurient interest and is patently offensive;
21 and the material, taken as a whole, lacks serious literary,
22 scientific, political, or artistic value.