

House File 2622 - Introduced

HOUSE FILE 2622
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 720)

A BILL FOR

1 An Act relating to public libraries, including eligibility
2 requirements for state assistance and oversight by city
3 councils.

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

unofficial

1 Section 1. Section 8A.209, subsection 4, Code 2026, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. d. Enforces age-appropriate policies that
4 prohibit minors from accessing materials deemed inappropriate
5 for minors and allow parents access to monitor their child's
6 borrowing activity. Each eligible library shall submit to the
7 department an annual report providing proof of age-appropriate
8 policies as prescribed by the department. For purposes of this
9 paragraph, "age-appropriate" means topics and messages suitable
10 to particular ages based on developing cognitive, emotional, and
11 behavioral capacity typical for the age. "Age-appropriate" does
12 not include any material with descriptions or visual depictions
13 of a sex act as defined in section 702.17 or section 728.1.

14 Sec. 2. NEW SECTION. **8A.212 State library — standards and**
15 **accreditation program.**

16 The state library shall provide performance measures to
17 encourage the ongoing development of high-quality public library
18 service in the state. The state library shall use the most
19 recent edition of "In Service to Iowa: Public Library Measures
20 of Quality" as the manual for the state library's standards
21 program. The use of such manual for the program does not include
22 standards relating to American library association standards or
23 Iowa library association standards. Iowa's voluntary public
24 library standards program is established to give public libraries
25 a tool to identify strengths for improvement. The program shall
26 be used to document the condition of public library service
27 in Iowa, to distribute direct state aid funding, and to meet
28 statutory requirements. Program information shall be available
29 on the state library's official internet site.

30 Sec. 3. Section 8A.222, Code 2026, is amended to read as
31 follows:

32 **8A.222 Local financial support.**

33 1. Commencing July 1, 1977, each city within its corporate
34 boundaries and each county within the unincorporated area of
35 the county shall levy a tax of at least six and three-fourths

1 cents per thousand dollars of assessed value on the taxable
2 property or at least the monetary equivalent thereof when all
3 or a portion of the funds are obtained from a source other than
4 taxation, for the purpose of providing financial support to the
5 public library ~~which~~ that provides library services within the
6 respective jurisdictions.

7 2. A library shall not receive moneys collected under this
8 section if the library is in violation of the age-appropriate
9 standards described in section 8A.209.

10 Sec. 4. Section 22.7, subsection 13, Code 2026, is amended to
11 read as follows:

12 13. a. The Except as otherwise provided in paragraphs "b"
13 and "c", records of a library which that, by themselves or when
14 examined with other public records, would reveal the identity
15 of the library patron checking out or requesting an item or
16 information from the library.

17 b. The records shall be released to a criminal or juvenile
18 justice agency only pursuant to an investigation of a particular
19 person or organization suspected of committing a known crime.
20 The records shall be released only upon a judicial determination
21 that a rational connection exists between the requested release
22 of information and a legitimate end and that the need for the
23 information is cogent and compelling.

24 c. The records shall be released to the parent or guardian
25 of a library patron who is a minor child upon the request of the
26 parent or guardian.

27 Sec. 5. Section 336.10, Code 2026, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 3. A library shall not receive moneys from
30 this fund if the library is in violation of the age-appropriate
31 standards described in section 8A.209.

32 Sec. 6. Section 392.5, Code 2026, is amended to read as
33 follows:

34 **392.5 Library board.**

35 1. a. ~~A city library board of trustees functioning on the~~

1 ~~effective date of the city code shall continue to function in~~
2 ~~the same manner until altered or discontinued as provided in this~~
3 ~~section~~ Effective July 1, 2026, all administrative, financial,
4 oversight, and policy authority of any city library board of
5 trustees shall be transferred to the governing body of the
6 jurisdiction in which the library is located.

7 ~~b. In order for the board to function in the same manner, the~~
8 ~~council shall retain all applicable ordinances, and shall adopt~~
9 ~~as ordinances all applicable state statutes repealed by 1972 Iowa~~
10 ~~Acts, ch. 1088~~ Upon transfer, any existing library board shall be
11 reconstituted or redesigned as an advisory board, serving solely
12 in an advisory capacity to the city council. Such board may
13 provide recommendations on library services, programs, budgeting
14 priorities, and long-range planning, and may submit reports to
15 the city council as requested. Such board shall review all
16 library materials to determine if they are age-appropriate, as
17 defined in section 8A.209, subsection 4, paragraph "d". The
18 board shall establish the procedure for a citizen residing in
19 the library's service area to challenge the board's determination
20 that an item is age-appropriate. If a hearing is held, the
21 board must allow three minutes of public comment for each person
22 wishing to speak. If the library board determines that the item
23 is age-appropriate, the city council shall vote to affirm or
24 reverse that decision. The governing body with control of a
25 library shall not allow children to have physical access or the
26 ability to borrow materials that are not age-appropriate.

27 ~~c. A city council shall, by ordinance or resolution as~~
28 ~~applicable, provide for the transition of library governance in~~
29 ~~accordance with this section. The governing body may determine~~
30 ~~the composition, method of appointment, and duties of any~~
31 ~~advisory library board established under its authority. The~~
32 ~~library director shall not serve as the chair of the advisory~~
33 ~~board and shall not appoint the members of the advisory board.~~

34 ~~2. A library board may accept and control the expenditure~~
35 ~~of all~~ All gifts, devises, and bequests made to the or for the

1 benefit of a library shall be accepted, held, and expended under
2 the authority of the city council.

3 ~~3. a. A proposal to alter the composition, manner of~~
4 ~~selection, or charge of a library board, or to replace it with~~
5 ~~an alternate form of administrative agency, is subject to the~~
6 ~~approval of the voters of the city.~~

7 ~~b. The proposal may be submitted to the voters at any city~~
8 ~~election by the council on its own motion. Upon receipt of a~~
9 ~~valid petition as defined in section 362.4, requesting that a~~
10 ~~proposal be submitted to the voters, the council shall submit the~~
11 ~~proposal at the next regular city election. A proposal submitted~~
12 ~~to the voters must describe with reasonable detail the action~~
13 ~~proposed.~~

14 ~~c. If a majority of those voting approves the proposal, the~~
15 ~~city may proceed as proposed.~~

16 ~~d. If a majority of those voting does not approve the~~
17 ~~proposal, the same or a similar proposal may not be submitted to~~
18 ~~the voters of the city for at least four years from the date of~~
19 ~~the election at which the proposal was defeated.~~

20 EXPLANATION

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

23 This bill relates to public libraries, including eligibility
24 requirements for state assistance and oversight by city councils.

25 Current law requires public libraries to meet certain
26 requirements to receive state assistance through the enrich Iowa
27 program. The bill adds the requirement that eligible public
28 libraries enforce age-appropriate policies that prohibit minors
29 from accessing materials deemed inappropriate for minors and
30 allow parents access to monitor their child's borrowing activity.
31 The bill defines "age-appropriate" as topics and messages
32 suitable to particular ages based on developing cognitive,
33 emotional, and behavioral capacity typical for the age.
34 "Age-appropriate" does not include any material with descriptions
35 or visual depictions of a sex act as defined in Code section

1 702.17 or 728.1. The bill requires an eligible library to submit
2 an annual report to the department of administrative services
3 providing proof of age-appropriate policies as prescribed by the
4 department.

5 The bill provides for state library accreditation standards
6 for libraries.

7 The bill prohibits any public funds from being used for a
8 library that is in violation of the age-appropriate standards
9 described in the bill.

10 Under Code section 22.7 (confidential records), library
11 records that, by themselves or when examined with other public
12 records, would reveal the identity of the library patron checking
13 out or requesting an item or information from the library
14 shall be kept confidential unless otherwise allowed by a court,
15 by the lawful custodian of the records, or by another person
16 duly authorized to release such information. However, library
17 records may be released to a criminal or juvenile justice agency
18 only pursuant to an investigation of a particular person or
19 organization suspected of committing a known crime and only
20 upon a judicial determination that a rational connection exists
21 between the requested release of information and a legitimate end
22 and that the need for the information is cogent and compelling.
23 The bill provides for the release of library records to the
24 parent or guardian of a library patron who is a minor child upon
25 the request of the parent or guardian.

26 Under current law, a city library board of trustees functions
27 to oversee public libraries. The library board of trustees may
28 accept and control the expenditure of all gifts, devises, and
29 bequests to the library. Any proposal to change the composition,
30 manner of selection, or charge of the library board, or to
31 replace it with an alternative form of administrative agency, is
32 subject to the approval of the voters of the city. If a majority
33 of those voting approves the proposal, the city may proceed as
34 proposed. If a majority of those voting does not approve the
35 proposal, the same or a similar proposal may not be submitted to

1 the voters of the city for at least four years from the date of
2 the election at which the proposal was defeated.

3 Effective July 1, 2026, the administrative, financial,
4 oversight, and policy authority of any city library board of
5 trustees is transferred to the governing body of the jurisdiction
6 in which the library is located. The bill specifies that upon
7 transfer, any library board of trustees shall be reconstituted
8 or redesigned as an advisory board, serving solely in an
9 advisory capacity to the city council. The advisory board may
10 provide recommendations on library services, programs, budgeting
11 priorities, and long-range planning, and may submit reports to
12 the city council as requested. The bill instructs the board to
13 review all library materials to determine if the materials are
14 age-appropriate. The board shall establish the procedure for
15 a citizen residing in the library's service area to challenge
16 the board's determination that an item is age-appropriate. If
17 a hearing is held, the board must allow three minutes of public
18 comment for each person wishing to speak. If the library board
19 determines that the item is age-appropriate, the city council
20 shall vote to affirm or reverse that decision. The governing
21 body with control of a library shall not allow children to have
22 physical access or the ability to borrow materials that are not
23 age-appropriate.

24 Any gifts, devises, or bequests made to the library shall be
25 accepted, held, and expended under the authority of the city
26 council on and after July 1, 2026. The bill directs city
27 councils to provide for the transition of library governance by
28 ordinance or resolution in accordance with Code section 392.5.
29 The governing body may determine the composition, method of
30 appointment, and duties of any advisory library board established
31 under its authority. The bill specifies that the library
32 director shall not serve as the chair of the advisory board and
33 shall not appoint any advisory board member.