## Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

PUBLISHED: 1/20/2025 12:14 PM ORIGINAL

**Bill Number:** HB2400 **Patron:** Scott, P.A.

Bill Title: Public elementary and secondary school libraries; model policies for review of print and

audiovisual materials; sexually explicit visual content prohibited.

**Bill Summary:** Requires the Department of Education to develop and make available to each school board model policies prohibiting any school library in any public elementary or secondary school from obtaining or possessing any print or audiovisual materials that contain sexually explicit visual content, as that term is defined in the bill. The bill requires such model policies to (i) require the review of any print or audiovisual material that is (a) made available to any such school for placement in any school library or (b) accessible to students in any school library for the purpose of determining whether such material contains sexually explicit visual content; (ii) provide for the removal or exclusion from any school library of any print or audiovisual material that, upon review, is determined to contain sexually explicit visual content; and (iii) establish guidelines for implementing such policies in accordance with the provisions of the bill to ensure compliance with the First Amendment to the Constitution of United States and Article 1, Section 12 of the Constitution of Virginia. The bill requires each school board to adopt policies that are consistent with but may be more comprehensive than the model policies adopted by the Department pursuant to the bill. Finally, the bill amends the exception in current law to the prohibition of certain sales and loans to juveniles for the purchase, distribution, exhibition, or loan of certain materials to schools to clarify that the exception does not apply in the case of public school libraries as provided in the provisions of the bill.

Budget Amendment Necessary: No Items Impacted: None

**Explanation:** Any costs related to Board of Education meetings or staff work to complete the

requirements of this bill can be absorbed, therefore no budget amendment is necessary.

Any impact to local school divisions is indeterminate.

**Fiscal Summary:** See below.

## **General Fund Expenditure Impact:**

<u>Agency</u>	FY2025	FY2026	FY2027	FY2028	FY2029	FY2030
None						
TOTAL						

**Fiscal Analysis:** The Department of Education anticipates that existing staff can develop the policies required by this bill, therefore no additional funding is needed. Any impact to local school divisions is indeterminate.

Other: None.