

Fiscal Note

State of Alaska
2026 Legislative Session

Bill Version: SB 238
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB238-EED-LIB-02-27-26
Title: LIBRARY MATERIALS POLICIES; CENSORSHIP
Sponsor: KAWASAKI
Requester: (S) Education

Department: Department of Education and Early Development
Appropriation: Alaska State Libraries, Archives and Museums
Allocation: Library Operations
OMB Component Number: 208

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

| | FY2027 | Included in | Out-Year Cost Estimates | | | | | |
|-------------------------------|-------------------------|---------------------------|-------------------------|------------|------------|------------|------------|------------|
| | Appropriation Requested | Governor's FY2027 Request | FY 2027 | FY 2028 | FY 2029 | FY 2030 | FY 2031 | FY 2032 |
| OPERATING EXPENDITURES | FY 2027 | FY 2027 | | | | | | |
| Personal Services | | | | | | | | |
| Travel | | | | | | | | |
| Services | | | | | | | | |
| Commodities | | | | | | | | |
| Capital Outlay | | | | | | | | |
| Grants & Benefits | | | | | | | | |
| Miscellaneous | | | | | | | | |
| Total Operating | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | | |
|-----------|--|--|--|--|--|--|--|--|
| Full-time | | | | | | | | |
| Part-time | | | | | | | | |
| Temporary | | | | | | | | |

Change in Revenues

| | | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Estimated SUPPLEMENTAL (FY2026) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2027) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **Yes**
If yes, by what date are the regulations to be adopted, amended or repealed? **07/01/27**

Why this fiscal note differs from previous version/comments:

Not applicable, initial version.

| | |
|---|-----------------------------|
| Prepared By: <u>Dr. Amy Phillips-Chan, Division Director</u> | Phone: <u>(907)465-8718</u> |
| Division: <u>Alaska State Libraries, Archives and Museums</u> | Date: <u>02/27/2026</u> |
| Approved By: <u>Dawn Hannasch, Administrative Services Director</u> | Date: <u>02/27/2026</u> |
| Agency: <u>Department of Education and Early Development</u> | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2026 LEGISLATIVE SESSION

BILL NO. SB238

Analysis

It is anticipated that this bill will not have a direct fiscal impact to the state outside of regulatory changes.

Background

This bill is a response to book bans and acts of censorship experienced by public libraries and school libraries in Alaska. It has three primary purposes: to legally protect employees of schools, libraries, and museums against civil or criminal liability; to institute a statewide library collections management policy; to allow individuals to sue the government if it violates library anti-censorship rules.

The bill proposes to amend AS 11.41.452 *Enticement of a minor*, AS 11.51.130 *Contributing to the delinquency of a minor*, and AS 11.61.128 *Distribution of indecent material to minors* with a new subsection to each that provides a legal safeguard for officials of a school, museum, or library from criminal liability when executing their professional duties.

This bill also proposes to amend AS 14.56 *State and Community Libraries* with the addition of *Article 7. Access to Library Material* and four related sections, 14.56.450 *Public library material policy*, 14.56.455 *School library material policy*, 14.56.460 *Private right of action*, and 14.56.465 *Definitions*. These amendments seek to institute and regulate collection development policies for Alaska public and school libraries using a model library collection development policy established by the Commissioner for the Department of Education and Early Development.

Amendments to AS 11.41.452, AS 11.51.130, and AS 11.61.128 are anticipated to have minimal impact on the public and private sector as primary intent is to protect individual employees of schools, libraries, or museums from accusation of criminal wrongdoing while engaged in the course of their work.

Amendments to AS 14.56 would have a direct impact on the Department of Education and Early Development and Division of Libraries, Archives and Museums who would be tasked with establishing, updating, and implementing a statewide model library collection development policy. The proposed amendments to AS 14.56 would also have far-reaching impact and a significant regulatory burden on over 100 Alaska public and school libraries who currently operate with diverse collection management policies developed and overseen under local control of their governing authorities. Amendment to AS 14.56 creates strong legal protections against government censorship of library materials and provides clear enforcement mechanisms through private lawsuits.