**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4059**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bauer, Hosey, Garvin, Cobb-Hunter, Bernstein, Stavrinakis, Dillard, Wetmore, King, Spann-Wilder, Jones, Rivers, Gilliard, Anderson, Kirby, Luck, Rose, Rutherford, Alexander, Grant and Reese

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Introduced in the House on February 19, 2025

Currently residing in the House Committee on **Education and Public Works**

Summary: Freedom to Read Protections and Respect for School Librarian Autonomy

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 2/19/2025 House Introduced and read first time (House Journal‑page 61)

 2/19/2025 House Referred to Committee on **Education and Public Works** (House Journal‑page 61)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4059&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[02/19/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4059_20250219.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “FREEDOM TO READ PROTECTIONS AND RESPECT FOR SCHOOL LIBRARy media specialist AUTONOMY ACT”; BY ADDING SECTION 59‑31‑55 SO AS TO DEFINE NECESSARY TERMS, TO AFFIRM CERTAIN RIGHTS CONCERNING STUDENT ACCESS TO DIVERSE AND DEVELOPMENTALLY APPROPRIATE READING MATERIAL, TO PROVIDE THE RIGHT FOR SCHOOL LIBRARY MEDIA SPECIALISTS TO AUTONOMOUSLY MAKE CERTAIN DECISIONS ABOUT CURATING AND MAINTAINING MATERIALS IN THEIR SCHOOL LIBRARY/MEDIA CENTER COLLECTIONS, TO PROVIDE REQUIREMENTS FOR FORMAL CHALLENGES TO SUCH MATERIALS, AND TO PROVIDE RELATED RIGHTS OF PUBLIC SCHOOL LIBRARY MEDIA SPECIALISTS AND OTHER PUBLIC SCHOOL PROFESSIONALS WHEN PERFORMING RELATED PROFESSIONAL DUTIES IN GOOD FAITH.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the “Freedom to Read Protections and Respect for School Library Media Specialist Autonomy Act.”

SECTION 2. Article 1, Chapter 31, Title 59 of the S.C. Code is amended by adding:

 Section 59‑31‑55. (A) As used in this section:

 (1) “Instructional materials” means any materials used to support student learning including books, digital resources, and other educational content.

 (2) “School library media specialist” means a certified professional responsible for managing a school library/media center program and ensuring access to diverse and appropriate materials.

 (B) The General Assembly affirms that:

 (1) the freedom to read is a constitutionally protected right under the First Amendment of the United States Constitution;

 (2) public school students have the right to access a wide range of diverse, developmentally appropriate materials that reflect varying perspectives, cultural experiences, and subject matters; and

 (3) no individual or group has the right to infringe upon the right of a student to access such materials unless determined through established legal and administrative processes.

 (C)(1) School library media specialists, as certified and trained professionals, are entitled to professional autonomy to curate and maintain library and media center collections within the professional guidelines and standards established by law and regulation.

 (2) School library media specialists shall make decisions regarding material contained in their collection of their library/media center based on their expertise, considering:

 (a) pedagogical value;

 (b) student interest;

 (c) developmental relevance; and

 (d) alignment with state and district curriculum standards.

 (D)(1) A formal challenge to instructional or library and media center materials shall follow a clear and transparent process.

 (2) Before the beginning of the 2026‑2027 School Year, each school district shall establish a Material Review Committee to formally address instructional library/media center materials initiated pursuant to item (1). At a minimum, the committee shall include:

 (a) a certified school library media specialist;

 (b) a student, where appropriate and at the discretion of the district; and

 (c) additional committee members may be appointed at the discretion of the district, to be representative of the various schools in the district.

 (3) A final decision of the Material Review Committee must:

 (a) be made in writing;

 (b) include a statement of relevant facts and clear reasoning for the decision; and

 (c) be posted publicly on the school district’s website within ten business days after the decision is made.

 (4) Material formally challenged before a Material Review Committee may remain accessible until the committee issues its final decision.

 (E) A certified school library media specialist, school library staff member, or educator acting in good faith while performing their professional duties:

 (1) must be protected from intimidation, harassment, or undue interference; and

 (2) must not be subject to threats, retaliation, or disciplinary action for:

 (a) curating or providing access to instructional materials deemed appropriate within the scope of their professional duties; or

 (b) refusing to remove materials that have been formally challenged pursuant to subsection (D) and for which a final decision by the Material Review Committee has not been made.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect July 1, 2026.

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