

SB 74 – Criminal penalties for librarians who distribute “inappropriate content”

Legislative Rubric from Science for Georgia

[SB 74](#) - This bill repeals an exemption for librarians and libraries from a law that makes selling, loaning, distributing, or exhibiting materials “harmful to minors.” Repealing this exemption makes any violation of this law by librarians a misdemeanor of a high and aggravated nature if committed “knowingly.” The bill allows for the defense of “good faith attempts” to find and remove materials “harmful to minors.”

Criteria	Variables			
Impact Who is going to be impacted? Is it equitable? List stakeholders & opinions.	Negative		Positive	
	Most stakeholders disagree with this bill and oppose the measure including: the DeKalb County Library System, Friends of the Stone Mountain Sue Kellogg Library, Intercultural Development Research Association, and multiple librarians; the Freedom to Read Coalition of Columbia County, the home county of the sponsor of the bill; (Williams, 2026); and the ACLU of Georgia (ACLU, 2025). Several people support the measure including: the Georgia Baptist Mission Board (Williams, 2026), and the Truth in Education advocacy group (Xu, 2025).			
Reach Does it reach its target audience?	0 - No impact on target audience.	1 - Impacts narrow segment.	2 - Impacts majority; exceptions.	3 - Impacts entire target audience
	This bill charges all librarians in the state of Georgia who “knowingly” distribute these materials with a misdemeanor of a high and aggravated nature.			
Scientific Merit Does it utilize scientific research accurately?	YES - this does follow scientific research accurately. Here's why....		NO - this does not present scientific research accurately.	
	Ferguson (2014) investigated if reading controversial young adult books is associated with behavior problems in young readers. The relationship between banned books and negative outcomes included complexity, but the reading of banned books was found to be associated with an increase in civic behavior and correlated with little risk of antisocial behavior. Banned books did not predict later commission of violent or nonviolent crimes (Ferguson, 2014). Jenkins (2008) conducted a literature review on research involving book challenges, challenging books, and young readers. Jenkins found that reading itself changes very little in behavior and attitudes, reading content does not predict the response of the reader, and forbidding materials will not diminish reader interest, but rather increase it (Jenkins, 2000).			

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Financial Feasibility Is it financially feasible? or does this have burdensome finances (higher taxes, future costs, etc)?	0 - Extremely high costs	1 - Expensive but can be done	2 - Slight	3 - No financial burden
	Librarians face a potential maximum penalty of up to 12 months in jail, with a maximum fine of \$5,000 (GA Code § 17-10-4 (2024)). Georgia pays upwards of \$24 per day per inmate, making a maximum cost of \$8,544 to the state for a 12 month stay (GDC, 2024). This leads to a maximum net loss to the state of \$3,544 per inmate with a maximum sentence and fine.			
Political Feasibility Level of opposition and partisan disagreement.	0 - Majority disagreed, regardless of party.	1 – Split along party lines	2 - Minimal Opposition	3 - Complete consensus (zero to five 'Nays').
	Passed in Senate on 03/03/2025, 32 to 23. It is now in the House.			
Measurable Metrics? We recommend looking at these 3 metrics. Is the data available or being measured?	0 - no data	1 - some data / not accessible	2 - most data / somewhat accessible	3 - complete transparency
	Some data exists on the impact of reading on children and challenging books. We recommend looking at Ferguson (2014) and Jenkins' (2008) work.			

Sources:

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3. Ferguson, C. J. (2014). Is reading “banned” books associated with behavior problems in young readers? The influence of controversial young adult books on the psychological well-being of adolescents. *Psychology of aesthetics, creativity, and the arts*, 8(3), 354. <https://psycnet.apa.org/buy/2014-11063-001>
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