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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 467

01/28/2021 Authored by Lucero, Akland and Erickson
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; establishing provisions for digital and online library database
1.3 resources for students; requiring a report; proposing coding for new law in
1.4 Minnesota Statutes, chapter 134.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [134.191] DIGITAL AND ONLINE LIBRARY DATABASE RESOURCES
1.7 FOR K-12 STUDENTS.

1.8 Subdivision 1. Digital and online library database resources. A school district, public
1.9 charter school, state agency, public library, or university may offer digital or online library
1.10 database resources to students in kindergarten through grade 12 only if the vendor or other
1.11 person or entity providing the resources verifies that all the resources will comply with the
1.12 provisions of subdivision 2.

1.13 Subd. 2. Safety policies. (a) Digital or online library database resources offered by
1.14 school districts, public charter schools, state agencies, public libraries, or universities to
1.15 students in kindergarten through grade 12 must have safety policies and technology protection
1.16 measures that:

1.17 (1) prohibit and prevent a user of the resource from sending, receiving, viewing, or
1.18 downloading materials that are deemed to be harmful to minors, as defined by section
1.19 617.291; and

1.20 (2) filter or block access to obscene materials, materials harmful to minors, and materials
1.21 that depict the sexual exploitation of a minor, as defined in section 617.241, subdivision 1.

2.1 Subd. 3. **Payments.** Notwithstanding any contract provision to the contrary, if a provider
2.2 of digital or online library resources fails to comply with the requirements of subdivision
2.3 2, the school district, public charter school, state agency, public library, or university shall
2.4 withhold further payments, if any, to the provider pending verification of compliance.

2.5 Subd. 4. **Noncompliance.** If a provider of digital or online library database resources
2.6 fails to timely verify that the provider is in compliance with the safety policies and
2.7 requirements of subdivision 2, the school district, public charter school, state agency, public
2.8 library, or university shall consider the provider's act of noncompliance a breach of contract.

2.9 Subd. 5. **Report.** No later than December 1 of each year, libraries shall submit to the
2.10 legislative committees with jurisdiction over education an aggregate written report on any
2.11 issues related to provider compliance with technology protection measures required by
2.12 subdivision 2.