ARTICLE 7

NUTRITION AND LIBRARIES

Section 1. Minnesota Statutes 2023 Supplement, section 124D.111, subdivision 2a, is amended to read:

Subd. 2a. Federal child and adult care food program and federal summer food service program; criteria and notice. (a) The commissioner must post on the department's website eligibility criteria and application information for nonprofit organizations interested in applying to the commissioner for approval as a multisite sponsoring organization under the federal child and adult care food program and federal summer food service program.

The posted criteria and information must inform interested nonprofit organizations about:

1. The criteria the commissioner uses to approve or disapprove an application, including how an applicant demonstrates financial viability for the Minnesota program, among other criteria;

2. The commissioner's process and time line for notifying an applicant when its application is approved or disapproved and, if the application is disapproved, the explanation the commissioner provides to the applicant; and

3. Any appeal or other recourse available to a disapproved applicant.

(b) The commissioner must evaluate financial eligibility as part of the application process. An organization applying to be a prospective nonprofit multisite sponsoring organization for the federal child and adult care food program or the federal summer food service program must provide documentation of financial viability as an organization.

Documentation must include:

1. Evidence that the organization has operated for at least one year and has filed at least one tax return;

2. The most recent tax return submitted by the organization and corresponding forms and financial statements;

3. A profit and loss statement and balance sheet or similar financial information; and

4. Evidence that at least ten percent of the organization's operating revenue comes from sources other than the United States Department of Agriculture child nutrition program and that the organization has additional funds or a performance bond available to cover at least one month of reimbursement claims.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 2. [134.205] METROPOLITAN LIBRARY SERVICE AGENCY.

Notwithstanding Minnesota Rules, part 3530.1000, item A, beginning April 1, 2024, the Metropolitan Library Service Agency may employ an executive director who does not hold a master's degree in library science.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. [134.51] BOOK BANNING PROHIBITED.

Subdivision 1. Access to materials. (a) The governing body, including a school board, of a regional public library system under section 134.20, subdivision 2; a multicounty, multitype library system under section 134.351, subdivision 4; a combination library under section 134.195, subdivision 7; a school library under section 124D.991; a library in a school receiving school library aid; or any other public library under section 134.001, subdivision 2, may not ban, remove, or otherwise restrict access to an otherwise age-appropriate book or other material selected pursuant to a library materials policy under subdivision 2 based solely on the viewpoint, content, message, idea, or opinion conveyed.

(b) This section does not limit authority to decline to purchase, lend, or shelve or to remove or restrict access to books or other materials legitimately based upon:

1. practical reasons, including but not limited to shelf space limitations, rare or antiquarian status, damage, or obsolescence;
2. legitimate pedagogical concerns, including but not limited to the appropriateness of potentially sensitive topics for the library’s intended audience, the selection of books and materials for a curated collection, or the likelihood of causing a material and substantial disruption of the work and discipline of the school; or
3. compliance with state or federal law.

Subd. 2. Library materials policy. (a) A governing body under subdivision 1 must adopt a policy that establishes procedures for selection of and reconsideration of library materials in accordance with this section.

(b) The policy must permit a parent or guardian to restrict their child’s access to specified library materials. This policy must not impair or limit the rights of a parent, guardian, or adult student to request a curriculum content challenge under section 120B.20.

(c) The policy must require that the procedures for selection and reconsideration be administered by:

1. a licensed library media specialist under Minnesota Rules, part 8710.4550;
2. an individual with a master’s degree in library sciences or library and information sciences; or
Subd. 3. Collection management. A governing body under subdivision 1, or any other public body with personnel authority for a library, may not discriminate against or discipline an individual for complying with subdivision 1;