
offers the following
substitute to SB 74:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 3 of Chapter 12 of Title 16 of the Official Code of Georgia
2 Annotated, relating to sale or distribution of harmful materials to minors, so as to revise an
3 exemption for libraries and librarians from the provisions of Code Section 16-12-103,
4 relating to selling, loaning, distributing, or exhibiting materials harmful to minors; to provide
5 for related matters; to provide for an effective date and applicability; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 3 of Article 3 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
10 relating to sale or distribution of harmful materials to minors, is amended by revising Code
11 Section 16-12-104, relating to library exception, as follows:

12 "16-12-104.

13 The provisions of Code Section 16-12-103 shall not apply to any public library operated
14 by the state or any of its political subdivisions nor to any library operated as a part of any
15 school, college, or university, if the person:

16 (1) Was not aware of such harmful material;

(2) Had previously suggested, recommended, warned, or otherwise communicated that such harmful material at issue be considered for a book challenge or obscenity review by a relevant commission or group within the library, school system, university; or other relevant body; or

(3) Had suggested, recommended, or attempted to have such harmful material at issue moved to a different location, or assigned a different permission set, within the library or online system that would not be reasonably accessible to minors."

SECTION 2.

This Act shall become effective on July 1, 2025, and shall apply to any motions made or hearings or trials commenced on or after such date.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.