

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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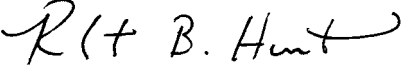
H.P. 644

House of Representatives, March 7, 2023

### An Act to Establish a Rating System for Books in School Libraries

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative DRINKWATER of Milford.  
Cosponsored by Representatives: BOYER of Poland, FOSTER of Dexter, MASON of Lisbon,  
PAUL of Winterport, RUDNICKI of Fairfield, THORNE of Carmel, Senator: LYFORD of  
Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §4710-C** is enacted to read:

3 **§4710-C. Content rating of books and written materials**

4 **1. Definition.** For the purposes of this section, "publisher" means an organization that  
5 sells or distributes books or written materials to a school administrative unit or public  
6 charter school under chapter 112 for placement in a school library.

7 **2. Content rating requirements.** A publisher may not sell or distribute to a school  
8 administrative unit or public charter school under chapter 112 for placement in a school  
9 library a book or other written material that is not assigned a standard content rating as  
10 provided by this subsection. The publisher shall affix to the front cover of the book or  
11 written material a label indicating its assigned content rating.

12 A. The publisher shall assign the content rating "BK-G" to a book or written material  
13 that is intended for all ages. Content with this rating may contain little or no profanity  
14 or violent or sexual themes.

15 B. The publisher shall assign the content rating "BK-PG" to a book or written material  
16 that is intended to be read by young children only with the guidance of an adult. Content  
17 with this rating may contain sexual dialogue or situations, infrequent profanity and  
18 moderate violence.

19 C. The publisher shall assign the content rating "BK-13" to a book or written material  
20 that is intended to be read by children 13 years of age or older. Content with this rating  
21 may contain intensely sexual dialogue or situations, profanity and intense violence.

22 D. The publisher shall assign the content rating "BK-MA" to a book or written material  
23 that is intended for persons 18 years of age or older. Content with this rating may  
24 contain explicit depictions of sexuality, strong profanity and graphic violence.

25 **3. Rating restrictions; school libraries.** A school administrative unit or public  
26 charter school under chapter 112 may not make available:

27 A. Books or written materials with BK-PG, BK-13 or BK-MA ratings in elementary  
28 school libraries;

29 B. Books or written materials with BK-13 or BK-MA ratings in middle school  
30 libraries; and

31 C. Books or written materials that do not have an assigned rating as provided in this  
32 section.

33 **4. Department review.** The department may review a content rating assigned by a  
34 publisher to a book or written material under this section. If the department disagrees with  
35 the assigned content rating, the department shall provide written notice to the publisher,  
36 which must include the content rating the department determines appropriate for the book  
37 or written material and information about the publisher's duty under this subsection. No  
38 later than the 120th day after the publisher receives the written notice from the department,  
39 the publisher shall:

40 A. Change the content rating for the book or written material per the department's  
41 recommendation; or

1 B. Cease all sales and distribution of the book or written material to a school  
2 administrative unit or public charter school under chapter 112 and issue a recall for all  
3 copies of the book or written material sold or distributed to a school administrative unit  
4 or public charter school.

5 A publisher shall notify the department of the publisher's action taken under this subsection.

6 **5. Rules.** The department may adopt rules in order to implement this section. Rules  
7 adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375,  
8 subchapter 2-A.

9 **SUMMARY**

10 This bill establishes a content rating system for books or written materials in school  
11 libraries. The bill requires that publishers that distribute books or written materials to a  
12 school administrative unit or public charter school for placement in their libraries assign  
13 such ratings to each book or material. The Department of Education may disagree with the  
14 content rating assigned by the publisher and recommend a rating determined by the  
15 department to be appropriate. In such case, the department must provide written notice to  
16 the publisher about the rating and the publisher must either change the rating according to  
17 the department's recommendation or cease all sales and distribution of the affected book or  
18 materials and issue a recall of all copies sold or distributed to a school administrative unit  
19 or public charter school.