



LFC Requester: Rodriguez

**PUBLIC EDUCATION DEPARTMENT
BILL ANALYSIS
2026 REGULAR SESSION**

SECTION I: GENERAL INFORMATION

Check all that apply:

Original ☒ Amendment ☐
Correction ☐ Substitute ☐

Date Prepared: January 20 2026

Bill No: HB26

Committee Referrals: HPREF

Agency Name and Code: PED - 924

Sponsor: Cates/Sedillo Lopez

PED Lead Analyst: Jacqueline Sánchez

Short Title: PROHIBITING BOOK
BANNING AT PUBLIC
LIBRARIES

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SECTION II: FISCAL IMPACT

(Parenthesis () Indicate Expenditure Decreases)

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY27	FY28		
None	None	N/A	NFA

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY27	FY28	FY29		
None	None	None	N/A	NFA

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY27	FY28	FY29	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: None.

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: House Bill 26 (HB26) would create a new section of statute to prohibit public libraries operated or funded by the state, a county, or municipality from prohibiting, excluding, or removing materials from their collections based on partisan or doctrinal disapproval or on characteristics of the author or intended audience that are protected from unlawful discriminatory practices in public accommodation. HB26 would prohibit state and local governments from interfering with a library's operations, reducing funding, or retaliating against library staff for good faith compliance with the law. A public library that violates the provisions of the bill would be ineligible to receive state funding. Enforcement authority would be assigned to the Library Division of the [Cultural Affairs Department](#).

The bill has an effective date of July 1, 2026.

FISCAL IMPLICATIONS

None for the Public Education Department (PED).

SIGNIFICANT ISSUES

HB26 does not reference school districts, charter schools, or school libraries, and as written, would only apply to public libraries operated by the state, counties, or municipalities. In recent years, public libraries across the United States have experienced a significant increase in challenges to books and other materials. [According to the American Library Association \(ALA\)](#), there were 821 attempts to censor library materials and services in 2024, compared with 1,247 documented demands to censor resources in 2023. The number of titles targeted for censorship surged 65 percent in 2023 compared with 2022, reaching the highest levels ever documented in more than 20 years of tracking. Titles representing the voices and lived experiences of LGBTQIA+ and BIPOC individuals represent nearly 50 percent of those targeted in censorship attempts.

[Recent data](#) indicate that a significant percentage of documented book challenges occur in public libraries. In 2024, of cases with known locations, approximately 44 percent took place in public libraries, compared with 38 percent in school libraries, 5 percent in schools outside of library settings, and 2 percent in higher education or other venues. Additionally, trends show that a majority of book censorship attempts originate from organized efforts. Pressure groups and governmental entities, including elected officials, board members, and administrators, [initiated 72 percent of demands](#) to censor books in school and public libraries in 2024.

In line with national trends, New Mexico has also experienced attempts to challenge and censor materials in public libraries. Recent years have seen attempts to ban and censor books in libraries, including in:

- Las Cruces, where, [according to KRWG](#), a young adult novel addressing LGBTQ themes was challenged in a public high school library, prompting community debate and review under local policies;
- Los Alamos, where, [according to the University of New Mexico](#), books addressing LGBTQ themes or by LGBTQ authors were challenged; and
- Rio Rancho, where, [according to KUNM](#), at least three challenged titles dealt with LGBTQ

themes.

PERFORMANCE IMPLICATIONS

Access to books and reading materials is a foundational component of children's literacy development and educational success. Public libraries support this development by providing free access to reading materials for children and families.

ADMINISTRATIVE IMPLICATIONS

None for the PED.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

- Relates to [Senate Bill Prefile .232187.4](#), which proposes each school district or charter school create a formal written policy regarding the process of challenging books and other library resources in public school libraries.
- Relates to [Senate Bill Prefile .232608.2](#), which would require post-secondary educational institutions to establish policies regarding the management of libraries and the administration of library programs and services.
- Conflicts with [Senate Bill Prefile .232672.3](#), which would create a three-year pilot project, the "school age-appropriate filtering and evaluation project," in which participating school districts or charter schools volunteer to rate library materials based on age appropriateness.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

None.

AMENDMENTS

None.