



October 7th, 2026

Chairwoman Campbell and Members
Senate Committee on Education
Texas Senate

RE: Written Testimony on the Implementation of Senate Bill 13 (SB 13)

Chairwoman Campbell and Members of the Committee,

Thank you for the opportunity to provide comments regarding the implementation of SB 13 and parental authority over public-school library materials.

Parents should be able to know what materials their children access through a taxpayer-funded school library and to restrict their own children from obtaining material they consider inappropriate. Locally elected trustees should likewise be accountable for the collections maintained by their districts.

SB 13 advances those principles by increasing catalog and checkout transparency, strengthening parental control, and placing acquisition and challenge decisions before school boards. Implementation should preserve those benefits without converting legitimate parental authority into a mechanism for indiscriminate censorship or an unworkable administrative process.

The distinction between controlling one's own child's access and controlling access for every child is important. Parents possess the primary authority to direct the upbringing and education of their children. A parent's decision restricting access for that parent's child should therefore receive substantial deference. Districtwide removal, however, is an exercise of governmental authority and must be based on clear legal standards, an adequate record, and a transparent decision by officials answerable to voters.

The challenge process presents the most significant implementation concern. Under SB 13, a challenge temporarily prevents students from accessing the disputed material until the district acts. Because the temporary restriction is triggered by filing rather than by a preliminary finding, coordinated or repetitive challenges could remove substantial numbers of books from circulation before their merits are considered.

Districts should process challenges promptly, publish their status, and prevent administrative delay from turning a temporary restriction into an indefinite one. The Legislature should monitor the number of challenges filed, the length of time materials remain unavailable, the number ultimately removed or retained, and whether districts experience coordinated filings that overwhelm their review processes.

Decisions should also follow the safeguards contained in the law. SB 13 prohibits removal based solely on the ideas expressed in a work or the personal background of its author or characters. That protection should be treated as substantive. Material should not be removed merely because it presents an unpopular viewpoint, discusses a controversial historical event, or offends the political preferences of particular officials.

At the same time, constitutional caution should not become an excuse for institutional resistance to legitimate parental concerns. Public schools are not required to provide every published work to every age

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group. Districts may apply neutral standards concerning obscenity, harmful material, age appropriateness, educational suitability, and the intended grade level.

The acquisition process also requires practical oversight. Public review and board approval increase accountability, but they can also produce significant delays and administrative burdens if districts lack efficient procedures. Lawmakers should determine whether approval backlogs are preventing libraries from replacing outdated materials or obtaining ordinary educational resources.

The Texas Education Agency and the Texas State Library and Archives Commission should provide clear model policies without attempting to resolve every local dispute from Austin. State guidance should help districts apply the law consistently while leaving substantive local judgments with elected boards operating within constitutional and statutory limits.

That same distinction informed Texas Policy Research's support for House Bill 3225 (HB 3225) during the 89th Legislature. HB 3225 would not have required municipal libraries to remove lawful material from their adult collections. Instead, it would have kept sexually explicit material out of sections designated for minors and required parental consent before a minor could access it elsewhere. Although municipal and school libraries serve different purposes, the underlying principle remains sound: protect children through age-appropriate access rules and parental authority without using government power to suppress lawful material for adults.

The Texas Liberty Compact calls for the protection of free speech and expression. That principle does not require schools to provide children with harmful or age-inappropriate material. It does require government decisions about access to information to rest on neutral standards rather than viewpoint discrimination. The proper balance is parental control over an individual child, local accountability for district collections, transparent procedures for broader challenges, and respect for constitutional limits on government censorship.

If implemented with those principles in mind, SB 13 can strengthen parental authority without creating a system in which books disappear because of administrative delay, political pressure, or disagreement with the ideas they contain.

Thank you for your consideration.

For Liberty, For Texas!

Jeremy D. Kitchen
President | Texas Policy Research Action (TPRA)