

AB 5 -- Redline

Bill Text to Enrolled -- Relating to: requiring school boards to make textbooks, curricula, and instructional materials available for inspection by school district residents.

Deletions ~~struck~~ · Insertions underlined

~~—Date 2026of LEGISLATUREenactment: LRB-1225/1 FFK:skw ASSEMBLY BILL 5 February 3, 2025— Introduced by Representatives D ITTRICH, K NODL, NEDWESKI, B EHNKE, ALLEN, RILL, GOEBEN, GUNDRUM, B. ACOBSONAssembly, Bill KREIBICH, 5 KRUGDate, of Mpublication*: URPY, PIOWARCZYK, T USLER and W ICHGERS, cosponsored by Senators T OMCZYK, NASS and W ANNGAARD— ReferredWISCONSIN ACT A N A CT to Committeeamend on118.03 Education,(1) and 118.03 (4); A N A CT to amend 118.03 (1) and 118.03 (4);~~

~~requiringre- quiring~~ school boards to make textbooks, curricula, and instructional materials available for inspection by school district residents.

~~AnalysisThe bypeople of the Legislativestate Referenceof BureauWisconsin, Thisrepresented billin requiressen- astitute schoolan boardinfringement toof complycopyright withunder athe schoolfederal districtate resident'sand writtenassembly, requestdo toenact inspectas afollows: textbook, curriculum, or instructional material within days.~~

~~UnderCopyright theAct, bill,17 aUSC school101 board must comply with a school district resident's written request to inspect1511. curricula or instructional materials used in a school in the school district by no later than 14 days after the school board receives the written request.~~

~~The bill also requires each school board to adopt procedures under which the school board is able to produce for inspection any curriculum or instructional material used in a school in the school district in fewer than 14 days.~~

~~The bill defines "curriculum" as a curriculum plan adopted by a school board to comply with state law and defines "instructional material" as any course content or resource included in a curriculum.~~

~~Similarly, the bill requires a school board to comply with a school district resident's written request to inspect a textbook on the school board's list of adopted — 2026 Legislature — 2 — LRB-1225/1 FFK:skw ASSEMBLY BILL 5 SECTION 1 textbooks by no later than 14 days after the school board receives the written request.~~

~~Under the bill, a school board must also adopt procedures under which the school board is capable of producing for inspection any textbook included on the school board's list of adopted textbooks in no more than 14 days.~~

~~Current law requires each school board to adopt all textbooks necessary for use in schools in the school district and file a list of adopted textbooks with the school district clerk.~~

~~Under the bill, each school board must also post the list of adopted textbooks on the school board's website.~~

~~Finally, the bill specifies that nothing in the bill may be construed to require a school board to take an action that would violate federal copyright law and that the bill does not limit any rights a school district resident has to inspect or copy records under open records law.~~

~~The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:~~

~~SECTION 1.~~

~~118.03 (1) of the statutes is amended to read:~~

~~118.03 (1) The school board shall adopt all the textbooks necessary for use in the schools under its charge.~~

~~The school board shall file the list of the adopted books shall be filed textbooks with the school district clerk and shall post the list on the school board's website.~~

~~SECTION 2.~~

~~118.03 (1m) of the statutes is created to read:~~

~~118.03 (1m) (a) Upon written request, a resident of a school district may inspect a copy of any textbook adopted under sub.~~

~~(1) at a location designated by the school board for the public to access records under s.~~

~~10.34 and at no cost to the resident.~~

~~The school board shall comply with a written request under this paragraph by no later than 14 days after the date on which the school board receives the written request.~~

~~(b) A school board shall adopt procedures under which the school board is able to make available for inspection a copy of any textbook adopted under sub.~~

~~(1) in fewer than 14 days.~~

~~— 2026 Legislature — 3 — LRB-1225/1 FFK:skw ASSEMBLY BILL 5 SECTION 2 (c) 1.~~

~~This subsection may not be construed to require a school board to take any action that would constitute an infringement of copyright under the federal Copyright Act, 17 USC 101 to 1511.~~

Nothing in this subsection limits a school district ~~resident's~~ SECTION 1. ~~to access or copy records, as defined in s.~~

118.03 (1) of the statutes is amended to read:

resident[s rights to access or copy records, as defined in 118.03 (1) The school board shall adopt all the text- s.

Sbooks ECTION necessary 3- for use in the schools under its charge.

SECTION 3.

The school board shall file the list of the adopted books 118.03 (4) Any person violating this section sub.

shall be filed textbooks with the school district clerk and (1), (2), or (3) may be fined not less than \$25 nor more than shall \$100. post the list on the school board[s website.

SSECTION ECTION2.-4-

118.03 (1m) of the statutes is created to than \$100.

read:

SECTION 4.

118.03 (1m) (a) Upon written request, a resident of 118.032 Curricula and instructional materials; a school district may inspect a copy of any textbook inspection.

(a) "Curriculum" means a curriculum plan adopted by a school board to comply with a school board duty under s. sub.

118.01(1) (2), at 118.015, a 118.017, location 118.019, designated or by 121.02 the (1)(a) (c), XCurriculumY (h), means (k), a (L), curriculum or plan (m), adopted school board for the public to access records under s.

(b) "Instructional material" means any course content or resource included in a curriculum.

(2) (a) Upon written request, a resident of a school district may inspect a copy of any curriculum or instructional material used in a school in the school district at a location designated by the school board for the public to access records under s.

The school board shall by comply with a written school request board under to this comply paragraph with by a no later than 14 days after the date on which the school board receives duty the under written s. request.

(b) 118.01 A(2), school 118.015, board 118.017, shall 118.019, establish or procedures shall under comply which with the a school written board request is under -this 2026 paragraph Legislature 121.02 -(1) 4(c), -(h), LRB-1225/1(k), FFK:skw(L), ASSEMBLY BILL 5 SECTION 4 able to make available for inspection a copy of any curriculum or instructional (m). material used in a school under its charge in fewer than 14 days.

(c) by 1- no later than 14 days after the date on which the (b) XInstructional materialY means any course con- school board receives the written request.

This tent subsection or may resource not included be in construed to require a school curriculum. board to take any action that would constitute an infringement of copyright under the federal Copyright Act, 17 USC 101 to 1511.

(b) A school board shall adopt procedures under (2) (a) Upon written request, a resident of a school which the school board is able to make available for in- district may inspect a copy of any curriculum or instruc- spection a copy of any textbook adopted under sub.

(1) tional material used in a school in the school district at a in fewer than 14 days.

location designated by the school board for the public to (c) 1.

This subsection may not be construed to re- access records under s.

19.34 and at no cost to the resi- quire a school board to take any action that would con- dent.

The school board shall comply with a written re- ernor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.Y Wisconsin Act

- 2 - 2025 Assembly Bill 5 quest under this paragraph by no later than 14 days after stitute an infringement of copyright under the federal the date on which the school board receives the written Copyright Act, 17 USC 101 to 1511.

request.

Nothing in this subsection limits a school district ~~resident's~~ (b) A school board shall establish procedures under resident[s rights to access or copy records, as defined in which the school board is able to make available for in- s.

Sspection ECTION a copy of any curriculum or instructional mate- SECTION 5.

(1) rial This used act in first a applies school to under textbooks its adopted charge for in use fewer and than curricula 14 and (1) instructional This materials act used first in applies the to school textbooks year adopted beginning for after days. the effective date of this subsection.

(END) use and curricula and instructional materials used in the (c) 1.

This subsection may not be construed to re- school year beginning after the effective date of this quire
a school board to take any action that would con- subsection.

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