

RESOLUTION NO. 226-2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS ESTABLISHING RULES AND REGULATIONS FOR THE ABILENE PUBLIC LIBRARY STRICTLY PROHIBITING OBSCENE AND HARMFUL MATERIAL AND PERFORMANCE.

WHEREAS, it is the policy of the City of Abilene to protect minors from obscenity and harmful material; and

WHEREAS, Chapter 43, Subchapter B, Texas Penal Code, already provides for criminal penalties for the display of obscene material and harmful material; and

WHEREAS, Section 43.21, Texas Penal Code, defines “obscene” material and performance; and

WHEREAS, Section 43.24, Texas Penal Code, defines “harmful material;” and

WHEREAS, the City Council seeks to strictly prohibit the display, promotion or availability of any “obscene” material or performance and any “harmful material” at or within the Abilene Public Library.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1: That “obscene” material or performance, as that term is defined by Section 43.21, Texas Penal Code, are strictly prohibited from being displayed, promoted or made available at the Abilene Public Library.

Part 2: That “harmful material,” as that phrase is defined by Section 43.24, Texas Penal Code, is strictly prohibited from being displayed, promoted or made available to minors at the Abilene Public Library.

Part 3: That neither the City Manager, nor any employee of the City of Abilene, may allow or authorize the display, promotion or availability of any “obscene” material or performance, as that term is defined by Section 43.21, Texas Penal Code, at or within the Abilene Public Library.

Part 4. That neither the City Manager, nor any employee of the City of Abilene, may allow or authorize the display, promotion or availability of any “harmful material,” as that phrase is defined in Section 43.24, Texas Penal Code, to minors at or within the Abilene Public Library.

Part 5. That the City Manager is directed to remove any “obscene” material from the Abilene Public Library, as that term is defined by Section 43.21, Texas Penal Code.

Part 6. That the City Manager is directed to remove any "harmful material" from the Abilene Public Library, as that phrase is defined by Section 43.24, Texas Penal Code that is displayed, promoted or made available to minors.

Part 7. That the City Manager is directed to cease any "obscene" performance at the Abilene Public Library, as that term is defined by Section 43.21, Texas Penal Code.

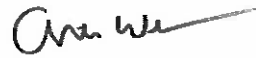
Part 8. That this Resolution takes effect immediately upon its adoption.

ADOPTED this 15th day of December, 2022.

ATTEST:



Shawna Atkinson, City Secretary



Anthony Williams, Mayor

APPROVED:



Stanley Smith, City Attorney

