

Appeals Court Blocks Texas Book Rating Law, Sides with Haynes Boone

January 19, 2024 Laura Prather, Catherine Robb

PRACTICES Intellectual Property Litigation, Media and Entertainment Litigation

The U.S. Court of Appeals for the Fifth Circuit blocked an unconstitutional book rating law from going into effect in Texas and agreed with Haynes Boone, which argued the law was both logistically impossible and cost prohibitive.

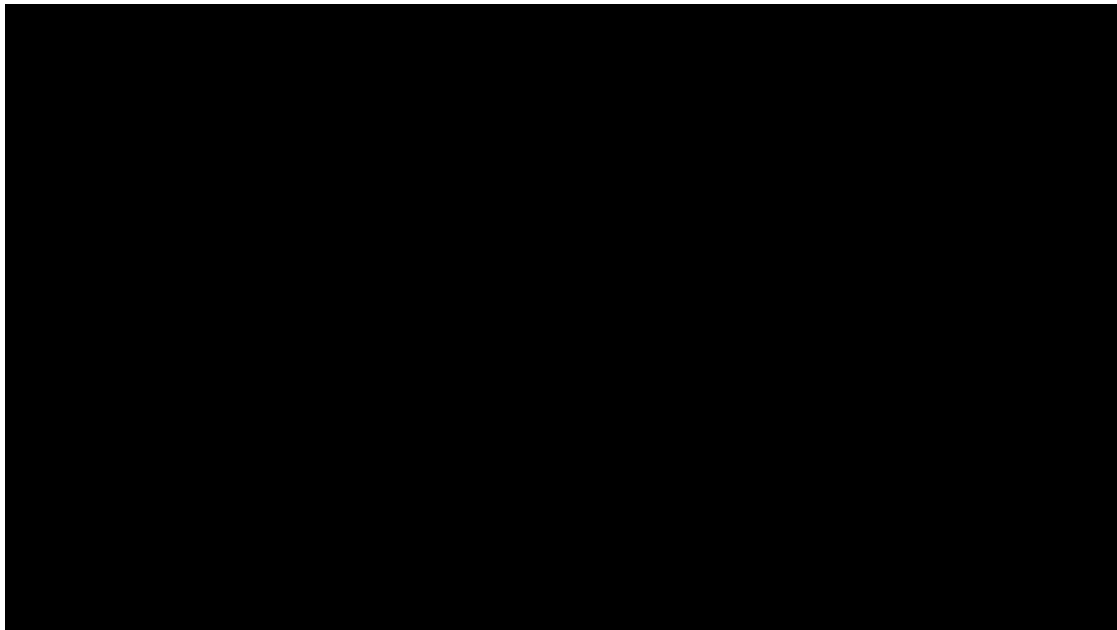
“This decision is a win for Texas and a win for free speech,” Haynes Boone Media Law Practice Group Chair [Laura Prather](#) said. “The book rating system in HB900 is a clearly unconstitutional requirement that would irreparably harm booksellers across the state.”

With increased national attention on censorship across the country, the significant victory earned widespread coverage from news outlets.

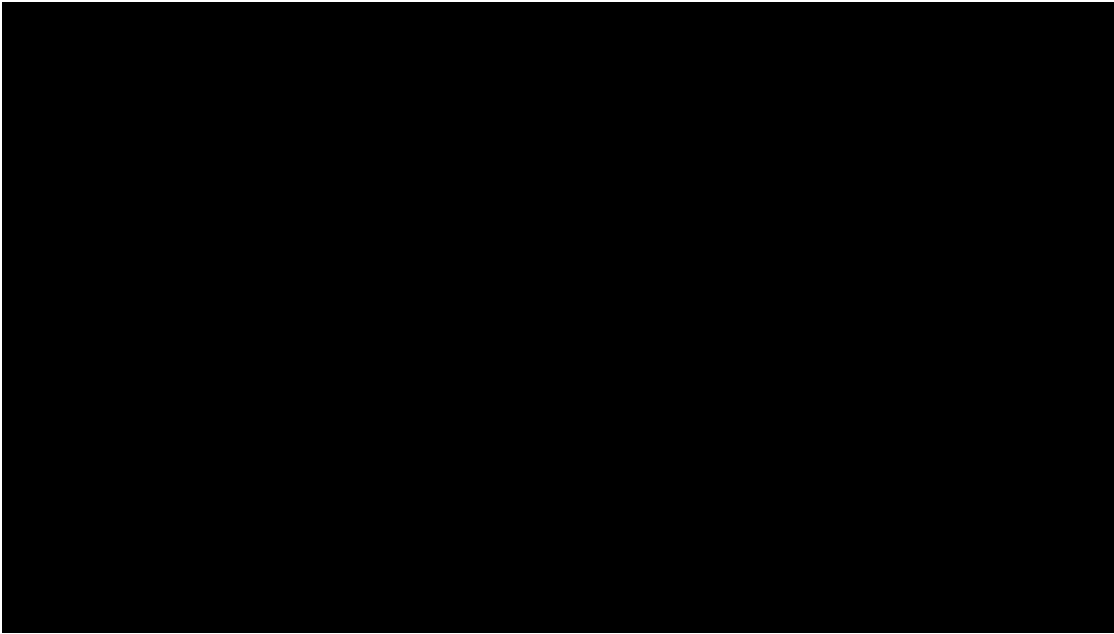
See a full list of the coverage below:

Videos:

KXAS (NBC Dallas) – [Court Upholds Decision That Blocks Texas Book Rating Law](#)



KEYE (CBS Austin) - [Court Strikes Texas Law Mandating Booksellers to Rate Sexual Content for Schools](#)



KXAN (NBC Austin) - [Texas 'Book Ban' Law Blocked by 5th Circuit Appeals Court](#)

KHOU (CBS Houston) - [Appeals Court Rules Texas Law Establishing Book Rating System is Unconstitutional](#)

Online Web Stories:

Law360 - [5th Circ. Upholds Block Of Texas Book Rating Law](#)

"Essentially there are no guardrails in this law," Prather said. "They don't adopt the *Miller vs. California* guardrails of considering artistic, political, literary, and scientific value, and they don't address considering the work as a whole, which is why it then reaches into classics like 'To Kill a Mockingbird' and others."

NBC News - [U.S. Appeals Court Blocks Texas Law That Could Ban or Restrict Library Books](#)

Prather...said that the appeals court decision was "a win for Texas and a win for free speech." "The book rating system in HB900 is a clearly unconstitutional requirement that would irreparably harm booksellers across the state," she said in email, referring to the House bill number. "We're thankful the Fifth Circuit recognized it would require booksellers to speak against their will and the importance of blocking it from taking effect."

Reuters - [Court Refuses to Revive Texas Public School Book Rating Law](#)

"The plaintiffs are thrilled with the outcome of this case and the fact that the court has found that booksellers can't be compelled to speak against their will," said Laura Prather of Haynes Boone, a lawyer for the two bookstores and industry groups, including the American Booksellers Association and Association of American Publishers, which brought the lawsuit in July.

KVUE (ABC Austin) - [Appeals Court Rules Texas Law Establishing Book Rating System Unconstitutional](#)

Yahoo – [U.S. Appeals Court Blocks Texas Law That Could Ban or Restrict Library Books](#)

WBAP - [Appeals Court Rules Sexually Explicit Books Must Remain in Texas Schools](#)

KTRK (ABC Houston) - [Texas law requiring books to be rated on its sexual content ruled unconstitutional by appeals court](#)

Nasdaq - [Court Refuses to Revive Texas Public School Book Rating Law](#)

Bloomberg - [Texas' Book Sex-Content Rating System Loses Another Challenge](#)

MSN - [Texas Ban on 'Sexually Explicit' Books in School Libraries Halted by Federal Appeals Court](#)

Austin American Statesman - [Controversial Texas Law Requiring Book Sellers to Rate Books Blocked by Appeals Court](#)

KUT (NPR Austin) – [Appeals Court Blocks Texas from Enforcing Book Rating Law](#)

Dallas Morning News - [Texas Ban on 'Sexually Explicit' Books in School Libraries Halted by Federal Appeals Court](#)

San Antonio News Express - [Federal Appeals Court Blocks Texas Ban on 'Sexually Explicit' Books in Public Schools](#)

Associated Press - [Court Upholds Block on Texas Law Requiring School Book Vendors to Provide Sexual Content Ratings](#)

Texas Tribune - [Appeals Court Blocks Texas from Enforcing Book Rating Law](#)

Jurist - [US Appeals Court Upholds Injunction Against Texas Law Censoring 'Sexually Explicit' School Books](#)

KPRC (NBC Houston) - [Appeals Court Blocks Texas from Enforcing Book Rating Law](#)