

STATE OF NEW YORK

10019

IN ASSEMBLY

March 4, 2020

Introduced by M. of A. ARROYO -- read once and referred to the Committee on Libraries and Education Technology

AN ACT to amend the education law, in relation to allowing all libraries of public institutions of higher learning, the state library, and Indian libraries to be open to the public for providing census-related services; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 249 of the education law, as amended by chapter 261
2 of the laws of 2011, is amended to read as follows:

3 § 249. State library, when open; use of books. 1. The state library
4 shall be kept open at least eight hours each day on five days every week
5 in the year except the legal holidays known as Independence day, Thanks-
6 giving day and Christmas day. Nothing in this section shall prohibit the
7 regents from opening the state library on other days and times. Members
8 of the legislature, judges of the court of appeals, justices of the
9 supreme court and heads of state departments may borrow from the library
10 books for use in Albany, but shall be subject to such restrictions and
11 penalties as may be prescribed by the regents for the safety or greater
12 usefulness of the library. Under such rules and conditions as the
13 regents may prescribe, the state library may lend its books and printed
14 material for a limited time to other individuals and institutions
15 conforming to said rules and conditions. Such service shall be free to
16 residents of this state as far as practicable, but the regents may, in
17 their discretion, charge a proper fee to nonresidents or for assistance
18 of a personal nature or for other reason not properly an expense to the
19 state, but which may be authorized for the accommodation of users of the
20 library.

21 2. The state library shall be open to the public, during operational
22 hours, for purposes of providing the public with census-related
23 services. Census-related services shall include, but not be limited to,
24 the use of computers, secure internet access, and translation services
25 if such services are provided. The state library may coordinate their

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 census-related services with any relevant state agencies. The state
2 library, in a manner determined by such institution, shall advertise
3 these census-related services within their facilities. Advertising shall
4 include, but not be limited to, displaying signage, providing brochures,
5 and including information on census-related services in any digital
6 communications. The state library shall permit New York state residents
7 and nonresidents access to such library's census-related services with-
8 out requiring a library card, a fee, or any other form of identifica-
9 tion.

10 § 2. Section 249-a of the education law, as added by chapter 1048 of
11 the laws of 1974, is amended to read as follows:

12 § 249-a. Libraries of public institutions of higher education; access
13 and use. 1. The state university trustees and the board of higher educa-
14 tion of the city of New York are hereby authorized to establish such
15 rules and regulations as may be necessary and appropriate to make
16 provision for access and use by the residents of the state of the
17 libraries and library facilities of the public institutions of higher
18 education under their respective jurisdictions.

19 2. All libraries of public institutions of higher education may permit
20 the public access, at times determined by the institution, for purposes
21 of providing the public with free of cost census-related services.
22 Census-related services shall include, but not be limited to, the use of
23 computers, secure internet access, and census information services, if
24 provided. In addition, all libraries of public institutions of higher
25 education shall allow the public similar access to translation services,
26 as available to students, in a manner determined by the institution.
27 Libraries of public institutions of higher education may coordinate
28 their census-related services with any relevant state agencies.
29 Libraries of public institutions of higher education shall advertise
30 these census-related services within their facilities, in a manner
31 determined by the institution. Advertising shall include, but not be
32 limited to, displaying signage, providing brochures, and including
33 information on census-related services in any digital communications.
34 All libraries of public institutions of higher education shall permit
35 New York state residents access to such library's census-related
36 services without requiring a library card.

37 § 3. Section 262 of the education law, as amended by chapter 476 of
38 the laws of 1977, is amended to read as follows:

39 § 262. Use of public and Indian libraries. 1. Every library estab-
40 lished under section two hundred fifty-five of this [~~chapter~~] part shall
41 be forever free to the inhabitants of the municipality or district or
42 Indian reservation, which establishes it, subject always to rules of the
43 library trustees who shall have authority to exclude any person who
44 wilfully violates such rules; and the trustees may, under such condi-
45 tions as they think expedient, extend the privileges of the library to
46 persons living outside such municipality or district or Indian reserva-
47 tion.

48 2. All public and Indian libraries may, at such Indian Tribe's sole
49 discretion, be open to the public, during operational hours, for
50 purposes of providing the public with census-related services. Census-
51 related services shall include, but not be limited to, the use of
52 computers, secure internet access, translation services, and census
53 information services, if provided. Public and Indian libraries may coor-
54 dinate their census-related services with any relevant state agencies.
55 Public and Indian libraries shall advertise these census-related
56 services within their facilities, in a manner determined by the institu-

1 tion. Advertising shall include, but not be limited to, displaying
2 signage, providing brochures, and including information on census-relat-
3 ed services in any digital communications. All public and Indian
4 libraries shall permit New York state residents access to such library's
5 census-related services without requiring a library card.

6 § 4. This act shall take effect immediately and shall expire and be
7 deemed repealed on January 1, 2021.