STATE OF NEW YORK

10019--A

IN ASSEMBLY

March 4, 2020

Introduced by M. of A. ARROYO, DICKENS, TAYLOR, GLICK, MOSLEY, CRESPO, SAYEGH -- read once and referred to the Committee on Libraries and Education Technology -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

2. The state library shall be open to the public, during operational hours, for purposes of providing the public with census-related services. Census-related services shall include, but not be limited to,

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

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the use of computers, secure internet access, and translation services if such services are provided. The state library may coordinate their census-related services with any relevant state agencies. The state library, in a manner determined by such institution, shall advertise these census-related services within their facilities. Advertising shall include, but not be limited to, displaying signage, providing brochures, and including information on census-related services in any digital communications. The state library shall allow New York state residents and nonresidents access to such library's census-related services without requiring any fees, a library card, or any other form of identification.

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

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

2. All libraries of public institutions of higher education may permit the public access, at times determined by the institution, for purposes of providing the public with free of cost census-related services. Census-related services shall include, but not be limited to, the use of computers, secure internet access, and census information services, if provided. In addition, all libraries of public institutions of higher education may allow the public similar access to translation services, as available to students, in a manner determined by the institution. Libraries of public institutions of higher education may coordinate their census-related services with any relevant state agencies. Libraries of public institutions of higher education shall advertise these census-related services within their facilities, in a manner determined by the institution. Advertising shall include, but not be limited to, displaying signage, providing brochures, and including information on census-related services in any digital communications. All libraries of public institutions of higher education shall allow New York state residents and nonresidents access to such library's census-related services, in a manner determined by the institution, without requiring any fees or a student or library card.

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

§ 262. Use of public and Indian libraries. 1. Every library established under section two hundred fifty-five of this [~~chapter~~] part shall be forever free to the inhabitants of the municipality or district or Indian reservation, which establishes it, subject always to rules of the library trustees who shall have authority to exclude any person who wilfully violates such rules; and the trustees may, under such conditions as they think expedient, extend the privileges of the library to persons living outside such municipality or district or Indian reservation.

2. All public and Indian libraries may, at such Indian Tribe's sole discretion, be open to the public, during operational hours, for purposes of providing the public with census-related services. Census-related services shall include, but not be limited to, the use of computers, secure internet access, translation services, and census information services, if provided. Public and Indian libraries may coor-

dinate their census-related services with any relevant state agencies. Public and Indian libraries may advertise these census-related services within their facilities, in a manner determined by the institution. Advertising shall include, but not be limited to, displaying signage, providing brochures, and including information on census-related services in any digital communications. All public and Indian libraries may, at such Indian Tribe's sole discretion, allow New York state residents and nonresidents access to such library's census-related services, in a manner determined by the institution, without requiring any fees, a library card, or any other form of identification.

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