

STATE OF NEW YORK

1418

2023-2024 Regular Sessions

IN SENATE

January 11, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Libraries

AN ACT to amend the education law, in relation to conducting a study on the access of state public libraries and library systems to capital funding

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

1 Section 1. Section 273-a of the education law is amended by adding a
2 new subdivision 9 to read as follows:

3 9. There shall be a study conducted relating to the access of state
4 public libraries and library systems to capital funding.

5 a. The department, in consultation with the dormitory authority, the
6 office of the state comptroller, and the public library systems of the
7 state, shall assess and report on the capital needs of such public
8 library systems, including public libraries and association libraries.
9 Such study shall include, but not be limited to, the following:

10 (1) identification of current options available to libraries and
11 library systems for financing capital projects;

12 (2) the projected capital needs of libraries and library systems over
13 a five year period;

14 (3) identification of alternative options for libraries and library
15 systems to finance capital projects;

16 (4) information related to dormitory authority financing of public
17 libraries and public library systems in the past ten years including but
18 not limited to: the total number of public libraries and library systems
19 that have applied for dormitory authority financing; what percentage of
20 public libraries and library systems are denied funding from the dormi-
21 tory authority and the reasons for such denials; the total cost of the
22 proposed projects; and the amount of financing provided for the projects
23 and the number of project applications submitted each year;

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

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1 (5) identification of special needs, barriers to accessing financing
2 and options for financing for public libraries; and
3 (6) recommendations for the improvement of access to capital funding
4 for public libraries and library systems.

5 b. For the purposes of this subdivision, the following terms shall be
6 defined as follows:

7 (1) "public library" shall mean any public or association library,
8 other than a professional, technical or public school library, estab-
9 lished for free public purposes by official action of a municipality or
10 district or the legislature, where the whole interests belong to the
11 public; the term "association library" shall be construed to mean a
12 library established and controlled, in whole or in part, by a group of
13 private individuals operating as an association, closed corporation or
14 as trustees under the provisions of a will or deed of trust; and the
15 term "free" as applied to a library shall be construed to mean a library
16 maintained for the benefit and free use on equal terms of all the people
17 of the community in which the library is located.

18 (2) "public library system" shall mean:

19 (i) A library established by one or more counties.

20 (ii) A group of libraries serving an area including one or more coun-
21 ties in whole or in part.

22 (iii) A library of a city containing one or more counties.

23 (iv) A cooperative library system established pursuant to section two
24 hundred fifty-five of this part, the plan of library service of any of
25 which shall have been approved by the commissioner.

26 c. The study required by this subdivision shall be completed by Janu-
27 ary first, two thousand twenty-five. The findings of such study shall
28 be provided to the governor, the speaker of the assembly, the temporary
29 president of the senate, the chair of the assembly libraries and educa-
30 tion technology committee, and the chair of the senate committee on
31 libraries. The findings of such study shall also be posted on the New
32 York state library's website.

33 § 2. This act shall take effect immediately, provided, however that
34 the amendments to section 273-a of the education law made by section one
35 of this act shall not affect the expiration of such section and shall be
36 deemed repealed therewith.