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:

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

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

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

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

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

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

(4) information related to dormitory authority financing of public libraries and public library systems in the past ten years including but not limited to: the total number of public libraries and library systems that have applied for dormitory authority financing; what percentage of public libraries and library systems are denied funding from the dormitory authority and the reasons for such denials; the total cost of the proposed projects; and the amount of financing provided for the projects 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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(5) identification of special needs, barriers to accessing financing and options for financing for public libraries; and

(6) recommendations for the improvement of access to capital funding for public libraries and library systems.

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

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

(2) "public library system" shall mean:

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

(ii) A group of libraries serving an area including one or more counties in whole or in part.

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

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

c. The study required by this subdivision shall be completed by January first, two thousand twenty-five. The findings of such study shall be provided to the governor, the speaker of the assembly, the temporary president of the senate, the chair of the assembly libraries and education technology committee, and the chair of the senate committee on libraries. The findings of such study shall also be posted on the New York state library's website.

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