STATE OF NEW YORK

3119--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 23, 2025

Introduced by M. of A. KELLES, SEAWRIGHT, EACHUS, SIMON, LEVENBERG, GRIFFIN, PAULIN, HEVESI, GONZALEZ-ROJAS, ROMERO, REYES, RAGA, EPSTEIN, DAVILA, SHIMSKY, SHRESTHA, McMAHON, MAGNARELLI, LUNSFORD -- 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 requiring certain libraries to adopt policies ensuring that library staff are able to curate and develop collections, services, and programming that reflect diverse perspectives, experiences, and identities

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

Section 1. Short title. This act shall be known and may be cited as the "open shelves act".

§ 2. Legislative intent. It is the sense of the legislature that public libraries are essential to ensuring broad access to information, fostering informed citizenship, intellectual exploration, and imagination. By ensuring that library collections, services, and programming reflect diverse experiences and perspectives, the legislature seeks to maintain libraries as spaces where all members of the community can engage with the marketplace of ideas, promoting open access to information and points of view. Librarians are professionals trained to curate robust collections that serve the full spectrum of their communities, and this legislation affirms the state's trust in their ability to do so.

§ 3. Section 254 of the education law, as amended by chapter 718 of the laws of 1981, is amended to read as follows:

§ 254. Standards of library service. **1.** The regents shall have power to fix standards of library service for every free association, public and hospital library or, with the advice of the appropriate tribal government and library board of trustees, Indian library which receives

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

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any portion of the moneys appropriated by the state to aid such libraries, or which is supported in whole or in part by tax levied by any municipality or district. In the case of a hospital library or a library serving a hospital, such standards shall be established in consultation with the commissioner of health. If any such library shall fail to comply with the regents requirements, such library shall not receive any portion of the moneys appropriated by the state for free, hospital or Indian libraries nor shall any tax be levied by any municipality or district for the support in whole or in part of such library.

2. Such standards shall require every free association, public, and hospital library or, with the advice of the appropriate tribal government and library board of trustees, Indian library, which receives any portion of the moneys appropriated by the state to aid such libraries, to adopt policies and procedures that ensure library staff are able to curate and develop library collections, services, and programming in a manner that reflects the full diversity of perspectives, experiences, and identities present in the communities they serve. Such policies shall be consistent with the values and protections established under the human rights law under article fifteen of the executive law and the equal rights amendment to the state constitution.

§ 4. This act shall take effect on the thirtieth day after it shall have become a law.