

# STATE OF NEW YORK

5416

2025-2026 Regular Sessions

## IN ASSEMBLY

February 14, 2025

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

AN ACT to amend the education law, in relation to requiring certain libraries to maintain a collection of diverse books

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "books save lives act".

3 § 2. The education law is amended by adding a new section 286 to read  
4 as follows:

5 § 286. Access to diverse books. 1. For the purposes of this section,  
6 the following terms shall have the following meanings:

7 (a) "Underrepresented community" shall mean a group of individuals  
8 that share a common identity or characteristic, and discrimination based  
9 on such identity or characteristic is prohibited by the Civil Rights Act  
10 of 1964 (42 U.S.C. 2000d), the Americans with Disabilities Act of 1990  
11 (42 U.S.C. 12101), the Rehabilitation Act of 1973 (29 U.S.C. 701), or  
12 the Education Amendments of 1972 (20 U.S.C. 1651).

13 (b) "Diverse book" shall mean a book containing characters that are  
14 part of an underrepresented community, including but not limited to  
15 individuals who:

16 (i) are members of a racial or ethnic minority group;

17 (ii) are lesbian, gay, bisexual, transgender, queer, intersex, or  
18 nonbinary;

19 (iii) are members of a religious minority group; or

20 (iv) have a disability.

21 2. Each public library, or public library system, and each school  
22 library, or school library system, that receives state aid shall main-  
23 tain a collection of diverse books, including but not limited to books  
24 that:

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

LBD07380-01-5

1 (a) are written or illustrated by an individual who is a member of an  
2 underrepresented community;

3 (b) are about an underrepresented community;

4 (c) provide information representing various points of view, especial-  
5 ly regarding controversial issues;

6 (d) provide information representative of the country's many reli-  
7 gious, ethnic, and cultural groups and their contributions to our shared  
8 heritage;

9 (e) include characters and settings that reflect the racial, ethnic,  
10 cultural, religious, and/or gender and sexual identities of the student  
11 body and the country as a whole; or

12 (f) promote the understanding and appreciation of culture, class,  
13 language, race, ethnicity, or other differences that contribute to the  
14 diversity of life in the United States.

15 3. (a) Any person seeking to permanently remove any material from a  
16 school library shall seek the formal approval of the board of education  
17 through a reconsideration process, as determined by such board of educa-  
18 tion. The permanent removal of material may only be authorized by such  
19 board of education following such reconsideration process.

20 (b) Any determination by such board of education that such material  
21 shall be removed:

22 (i) shall be based upon the educational suitability of such material  
23 in question; and

24 (ii) shall not yield only to public demands or impede the obligation  
25 of school officials to promote pluralism and diversity.

26 § 3. Section 276 of the education law is amended to read as follows:

27 § 276. Existing rules continued in force. All existing provisions of  
28 law and rules established by the commissioner [~~of education~~] for the  
29 management of public school libraries shall hold good as to the manage-  
30 ment of such school libraries until altered by or in pursuance of law.  
31 Such laws and rules shall include policies to ensure that school  
32 libraries and library staff, including but not limited to certified  
33 library media specialists, are empowered to curate and develop  
34 collections of materials that provide students with access to the widest  
35 array of developmentally appropriate materials that are available to  
36 public school libraries, including materials that meet the criteria  
37 established pursuant to subdivision two of section two hundred eighty-  
38 six of this part.

39 § 4. Subdivisions (f) and (g) of section 283 of the education law, as  
40 added by chapter 348 of the laws of 1984, are amended to read as  
41 follows:

42 (f) encouraging awareness of the resources and services available in  
43 participating school libraries; [~~and~~] (g) cooperating with other library  
44 systems in resource sharing and other activities; and (h) that school  
45 libraries and library staff, including but not limited to certified  
46 library media specialists, are empowered to curate and develop  
47 collections of materials that provide students with access to the widest  
48 array of developmentally appropriate materials that are available to  
49 participating school libraries, including materials that meet the crite-  
50 ria established pursuant to subdivision two of section two hundred  
51 eighty-six of this part.

52 § 5. Section 273 of the education law is amended by adding a new  
53 subdivision 12 to read as follows:

54 12. No school library or library system shall receive state aid pursu-  
55 ant to this section unless such school library or library system, within  
56 ninety days of the effective date of this subdivision:

- 1 a. adopts the American library association's library bill of rights,
- 2 pursuant to which materials shall not be proscribed or removed because
- 3 of partisan or doctrinal disapproval; or
- 4 b. develops a written policy prohibiting the practice of banning books
- 5 or other materials within such school library or library system.
- 6 § 6. This act shall take effect immediately.