

STATE OF NEW YORK

7353--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 25, 2025

Introduced by M. of A. R. CARROLL, ROSENTHAL, MAGNARELLI -- read once and referred to the Committee on Libraries and Education Technology -- recommitted to the Committee on Libraries in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to protecting the independence of libraries and shielding librarians from civil and criminal liability for certain actions

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

1 Section 1. This act shall be known and may be cited as the "protecting
2 libraries' independence act".

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

5 § 286. Protecting libraries' independence. 1. For the purposes of this
6 section, the following terms shall have the following meanings:

7 (a) "Individual with a vested interest in the public library" means
8 any resident who is served by the public library and resides in the
9 municipality where the library is situated.

10 (b) "Library material" means books, videos, subscription or locally
11 curated databases, newspapers, magazines and other such periodicals,
12 charts, graphs, movies, games, maps, interactive applications and soft-
13 ware, and other such enrichment or entertainment materials in any print-
14 ed or electronic format, inclusive of fiction and non-fiction belonging
15 to, on loan to, or otherwise in the custody of the public library.

16 (c) "Librarian" means an employee who is responsible for the purchase,
17 selection, curation, removal, and display of library materials.

18 (d) "Public library" means every free association, public and hospital
19 library or, with the advice of the appropriate tribal government and
20 library board of trustees, Indian library which receives any portion of
21 the moneys appropriated by the state to aid such libraries, or which is

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

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1 supported in whole or in part by tax levied by any municipality or
2 district.

3 2. A public library shall have a duty to make a reasonable effort
4 within professional standards and capacity to provide library material
5 that has been requested by an individual with a vested interest in the
6 public library.

7 3. No public library shall proscribe, ban, or remove any books or
8 other materials because of partisan or doctrinal disapproval.

9 4. Any staff member of a public library, including a librarian
10 employed by a public library, shall be immune from civil and criminal
11 liability arising from good faith actions performed pursuant to this
12 section.

13 § 3. This act shall take effect immediately.