

STATE OF NEW YORK

9625

IN ASSEMBLY

January 21, 2026

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

AN ACT to amend the education law, in relation to the facilitating
access to e-books for libraries act

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

1 Section 1. This act shall be known and may be cited as the "facilitat-
2 ing access to e-books for libraries act".

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

5 § 286. Access to electronic books and digital audiobooks. 1. For the
6 purposes of this section, the following terms shall have the following
7 meanings:

8 a. "Digital audiobook" means a published work that is in the form of a
9 voice recording (narrated) and is released as a digital audio file.

10 b. "Electronic book" means a published work that is in written form
11 and is released as a digital text file.

12 c. "Electronic literary materials" means digital audiobooks and/or
13 electronic books.

14 d. "Libraries" includes:

15 (1) public libraries;

16 (2) public elementary school or secondary school libraries;

17 (3) tribal libraries;

18 (4) academic libraries;

19 (5) research libraries; and

20 (6) archives.

21 e. "Public library system" means a library established by one or more
22 counties, a group of libraries serving an area including one or more
23 counties in whole or in part, a library of a city containing one or more
24 counties, or a cooperative library system established pursuant to the
25 provisions of section two hundred fifty-five of this part.

26 f. "School library system" means a library or group of libraries serv-
27 ing a school district established pursuant to the provisions of section
28 two hundred eighty-two of this part.

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

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1 g. "Publisher" means one whose business is the manufacture, promulga-
2 tion, license, and/or sale of books, audiobooks, journals, magazines,
3 newspapers, or other literary productions including those in the form of
4 electronic literary materials.

5 h. "Aggregator" means one whose business is the licensing of access to
6 electronic literary material collections that include electronic liter-
7 ary material from multiple publishers.

8 i. "A cooperative purchasing agreement" means an agreement authorized
9 by the governing bodies of a library, public library system, or school
10 library system jointly establishing terms for negotiations and contracts
11 with publishers and aggregators regarding the purchase or license of
12 electronic literary materials.

13 2. Libraries, public library systems, and school library systems may
14 enter into cooperative purchasing agreements for the purpose of negoti-
15 ating and entering into contracts with publishers or aggregators to
16 purchase or license electronic literary materials.

17 3. Any contract offered by a publisher or aggregator to a library,
18 public library system, or school library system to purchase or license
19 electronic literary materials may not restrict the library, public
20 library system, or school library system from disclosing any terms of
21 its purchase or license agreements to other libraries or library
22 systems.

23 § 3. This act shall take effect immediately.