STATE OF NEW YORK

9625--B

IN ASSEMBLY

January 21, 2026

Introduced by M. of A. R. CARROLL -- 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 -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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 Assembly, do enact as follows:

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

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

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

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

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

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

d. "Libraries" includes:

(1) a public library as described in subdivision two of section two hundred fifty-three of this part, as well as any public library established pursuant to the provisions of subdivision one of section two hundred fifty-five of this part;

(2) an association library as described in subdivision two of section two hundred fifty-three of this part;

(3) a free library as described in subdivision two of section two hundred fifty-three of this part;

(4) an Indian library as described in subdivision three of section two hundred fifty-three of this part, as well as an Indian library estab-

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

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lished pursuant to the provisions of subdivision four of section two hundred fifty-five of this part;

(5) reference libraries as described in subdivision one of section two hundred fifty-three of this part; and

(6) circulating libraries as described in subdivision one of section two hundred fifty-three this part.

e. "Public library system" shall have the same meaning as such term is defined in subdivision one of section two hundred seventy-two of this part.

f. "School library system" means a system established pursuant to the provisions of section two hundred eighty-two of this part.

g. "Reference and research library resources systems" shall have the same meaning as such term is defined in subdivision two of section two hundred seventy-two of this part.

h. "Publisher" means any person engaged in the manufacture, promulgation, license, and/or sale of books, audiobooks, journals, magazines, newspapers, or other literary productions including those in the form of electronic literary materials.

i. "Aggregator" means any person engaged in the licensing of access to electronic literary material collections that include electronic literary material from multiple publishers and provides a core platform service used by libraries for the lending or distribution of electronic literary materials.

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

2. Libraries, public library systems, and school library systems may enter into cooperative purchasing agreements for the purpose of negotiating and entering into contracts with publishers or aggregators to purchase or license electronic literary materials.

3. A contract between a publisher or aggregator and a library, public library system, school library system, or reference and research library resources system to purchase or license electronic literary materials shall not restrict the library, public library system, school library system, or reference and research library resources system from disclosing pricing information contained within purchase or license agreements to other libraries, public library systems, school library systems, or reference and research library resources systems.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall only apply to contracts entered into on or after such effective date.