

STATE OF NEW YORK

7353--B

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

13 (b) "Librarian" means an employee of a public library or someone work-
14 ing on a public library's behalf through a consulting agreement who is
15 responsible for the purchase, selection, curation, removal, and display
16 of library materials.

17 (c) "Public library" means every free association, public and hospital
18 library or, with the advice of the appropriate tribal government and
19 library board of trustees, Indian library which receives any portion of

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

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1 the moneys appropriated by the state to aid such libraries, or which is
2 supported in whole or in part by tax levied by any municipality or
3 district.

4 2. No public library shall proscribe, ban, or remove any library mate-
5 rial because of partisan or doctrinal disapproval or solely or substan-
6 tially because a public library does not wish patrons to access library
7 material due to that material's viewpoint or message.

8 3. Any staff member of a public library including but not limited to
9 librarians, shall be immune from civil and criminal liability arising
10 from good faith actions performed pursuant to this section.

11 § 3. This act shall take effect immediately.