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:

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

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

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

(a) "Library material" means books, videos, subscription or locally curated databases, newspapers, magazines and other such periodicals, charts, graphs, movies, games, maps, interactive applications and software, and other such enrichment or entertainment materials in any printed or electronic format, inclusive of fiction and non-fiction belonging to, on loan to, or otherwise in the custody of the public library.

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

(c) "Public library" means every free association, public and hospital library or, with the advice of the appropriate tribal government and 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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the moneys appropriated by the state to aid such libraries, or which is supported in whole or in part by tax levied by any municipality or district.

2. No public library shall proscribe, ban, or remove any library material because of partisan or doctrinal disapproval or solely or substantially because a public library does not wish patrons to access library material due to that material's viewpoint or message.

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

§ 3. This act shall take effect immediately.