STATE OF NEW YORK

9625--A

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

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) public libraries;

(2) public elementary school or secondary school libraries;

(3) tribal libraries;

(4) academic libraries;

(5) research libraries; and

(6) archives.

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

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

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

g. "Publisher" means one whose business is 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.

h. "Aggregator" means one whose business is 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.

i. "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. Any contract offered by a publisher or aggregator to a library, public library system, or school library system to purchase or license electronic literary materials may not restrict the library, public library system, or school library system from disclosing any terms of its purchase or license agreements to other libraries or library systems.

4. An aggregator providing a core platform service shall, to the extent technically feasible, permit interoperability with competing aggregators and enable libraries to transfer or access licensed electronic literary materials across platforms without unreasonable technical or contractual restrictions.

5. No aggregator shall impose exclusivity provisions or other contractual terms that unreasonably restrict a library's ability to access electronic literary materials from multiple aggregators.

§ 3. This act shall take effect immediately.