

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:

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.

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

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

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

8 h. "Aggregator" means one whose business is the licensing of access to
9 electronic literary material collections that include electronic liter-
10 ary material from multiple publishers and provides a core platform
11 service used by libraries for the lending or distribution of electronic
12 literary materials.

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

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

22 3. Any contract offered by a publisher or aggregator to a library,
23 public library system, or school library system to purchase or license
24 electronic literary materials may not restrict the library, public
25 library system, or school library system from disclosing any terms of
26 its purchase or license agreements to other libraries or library
27 systems.

28 4. An aggregator providing a core platform service shall, to the
29 extent technically feasible, permit interoperability with competing
30 aggregators and enable libraries to transfer or access licensed elec-
31 tronic literary materials across platforms without unreasonable techni-
32 cal or contractual restrictions.

33 5. No aggregator shall impose exclusivity provisions or other contrac-
34 tual terms that unreasonably restrict a library's ability to access
35 electronic literary materials from multiple aggregators.

36 § 3. This act shall take effect immediately.