

Joint Committee on Tourism, Arts and Cultural Development

Bill Summary 194th Legislative Session

<u>BILL NUMBER</u>	House, No. 3595
<u>TITLE</u>	An Act addressing challenges facing public libraries and digital resource collections
<u>SPONSORS</u>	Representative Murray of Milford
<u>HEARING DATE</u>	Tuesday, July 22, 2025 at 01:00 PM - 05:00 PM, B-2
<u>REPORTING DEADLINE</u>	Saturday, September 20, 2025
<u>SIMILAR MATTERS</u>	S2330 (Feeney)

PRIOR HISTORY

Refile of H4802 from 2023-2024 session, which was a redraft of the TACD Committee. Redraft was reported favorably by TACD and referred to the committee on Rules of the two branches, acting concurrently. Then went to House Ways and Means, no further action taken.

CURRENT LAW

Chapter 78 oversees libraries and the operation of the MA Board of Library Commissioners.

Places enforcement of these provisions under Section 2 of Chapter 93A, consumer protection law.

SUMMARY

This bill addresses challenges facing public libraries and digital resource collections by establishing a 17-member special legislative commission to investigate various aspects of library digital resources.

Commission is comprised of:

- 2 House members, 2 Senate members;
- MA Board of Library Commissioners;
- Massachusetts Library Association;
- Massachusetts School Library Association;
- Boston Public Library;
- Mass Center for the Book;
- Attorney General;
- 7 members who shall be appointed by the governor;
- --1 of whom shall be the Director of the Massachusetts Office on Disability or a designee,
- --1 of whom shall be a research librarian from a public tier 1 research institution of higher education,
- --1 of whom shall be a representative of the Association of American Publishers,
- --1 of whom shall be a representative of a digital distributor of ebooks, such as Overdrive, Inc.,
- --1 of whom shall be an expert in the field of intellectual property or copyright law, and
- --1 of whom shall be an expert in consumer protection laws in the commonwealth.

Mandates that contracts between publishers and libraries may not restricting information sharing about licensing agreements with other libraries, the legislature, the attorney general, or the MA Board of Library Commissioners. Further stipulates that such contracts may not compromise patron privacy, and such restrictive provisions would be considered unfair business practices.

The commission would recommend legislative and executive action that would address concerns surrounding digital collection access and sustainability, as well as consumer data protection. The commission is required to submit a report with recommendations by December 31, 2026.