



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2419

Introduced 2/10/2023, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

New Act

15 ILCS 320/3	from Ch. 128, par. 103
15 ILCS 320/7	from Ch. 128, par. 107
15 ILCS 320/10	from Ch. 128, par. 110
15 ILCS 320/11	from Ch. 128, par. 111
30 ILCS 105/5.990 new	

Creates the License to Read Act. Defines terms. Provides that the State Librarian may negotiate with publishers of e-books and e-audiobooks on behalf of libraries on reasonable terms that would enable libraries to acquire necessary licenses to provide library users with access to e-books and e-audiobooks. Provides that the State Librarian may award grants that develop, expand, or support the acquisition of access to e-books and e-audiobooks in Illinois. Creates the License to Read Fund to deposit fees or other funds received for the purposes of the Act. Includes other provisions relating to legislative findings, assistance from other agencies or entities, and rules. Amends the State Library Act. Provides that the State Library's support and implementation of library services on a statewide basis includes the effective sharing of resources and services among libraries to promote access to information in both print and electronic format. Provides that the State Library may cooperate with acquiring and sharing electronic resources, e-books, and e-audiobooks. Includes other provisions relating to electronic resources, including e-books and e-audiobooks. Makes other changes. Effective immediately.

LRB103 30740 DTM 57218 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 License to Read Act.

6 Section 5. Findings. The General Assembly finds:

7 (1) It is in the best interests of the State for the
8 State Librarian to be authorized to facilitate the
9 acquisition and use of digital content by pooling the
10 buying power of the Illinois' libraries and library
11 systems and to provide e-books and e-audiobooks to patrons
12 to the fullest extent possible.

13 (2) This Act should be administered by the State
14 Librarian to support all libraries within the State.

15 (3) To achieve the purposes of this Act, the State
16 Librarian should have the authority to make grants under
17 this Act to assist libraries in providing access to
18 e-books and e-audiobooks.

19 Section 10. Definitions. As used in this Act:

20 "E-audiobook" means an audio recording of a text document
21 that is read out loud in an electronic format that is listened
22 to on a computer, tablet, smart phone, or other electronic

1 device.

2 "E-book" means a text document that has been converted
3 into or published in an electronic format that is read on a
4 computer, tablet, smart phone, or other electronic device.

5 "Library" means an entity that:

6 (1) serves, either directly or through contractual
7 services provided by another library, the basic
8 information and library needs of its patrons through a
9 bibliographically organized collection of library
10 materials that has ongoing financial support and is
11 accessible centrally;

12 (2) is open at least 15 hours per week; and

13 (3) is staffed by one or more employees serving as
14 librarians working a minimum of 15 hours per week.

15 Section 15. Electronic licenses.

16 (a) The State Librarian may negotiate with publishers of
17 e-books and e-audiobooks on behalf of libraries on reasonable
18 terms that would enable libraries to acquire necessary
19 licenses to provide library users with access to e-books or
20 e-audiobooks.

21 (b) The reasonable terms under subsection (a) must
22 include:

23 (1) The number of users a library may simultaneously
24 allow to access an e-book or e-audiobook.

25 (2) The number of days a library may allow a user to

1 access an e-book or e-audiobook.

2 (3) The use of technological protection measures that
3 would prevent a user from:

4 (i) maintaining access to an e-book or e-audiobook
5 beyond the access period specified in the license; and

6 (ii) allowing other users to access an e-book or
7 e-audiobook.

8 Section 20. License to Read Grants. The State Librarian
9 may award grants that develop, expand, or support the
10 acquisition of and access to e-books and e-audiobooks in
11 Illinois.

12 Section 25. Fees and donations; License to Read Fund. The
13 State Library may collect fees to provide the services and
14 grants under this Act. The State Library may also receive
15 donations or grants from the federal government, its agencies,
16 or any other entity or person for the purposes of this Act. All
17 funds received under this Section and appropriated by the
18 General Assembly for implementation of this Act shall be
19 deposited into the License to Read Fund, a special fund hereby
20 created in the State treasury. The moneys in the Fund may be
21 expended as provided in this Act.

22 Section 30. Assistance. To implement any part of this Act,
23 the State Librarian may request any State agency, department,

1 division, board, bureau, commission, or other entity or person
2 to provide any services, assistance, or data that will enable
3 the Office of the State Librarian to properly carry out the
4 State Librarian's functions, powers, and duties under this
5 Act. Those entities are authorized to provide any services,
6 assistance, and data that will enable the State Librarian to
7 properly carry out its functions, powers, and duties under
8 this Act.

9 Section 35. Rules. The Office of the Secretary of State
10 may adopt rules necessary for implementation of this Act.

11 Section 85. The State Library Act is amended by changing
12 Sections 3, 7, 10, and 11 as follows:

13 (15 ILCS 320/3) (from Ch. 128, par. 103)

14 Sec. 3. Declaration of policy-State Library.

15 It is the policy of the State of Illinois, to promote,
16 support, implement and maintain library services on a State
17 level for all State Officers, Offices, the General Assembly,
18 the Judiciary and all State agencies, bodies and commissions,
19 and to promote, support and implement library services on a
20 statewide basis, including the effective sharing of resources
21 and services among libraries to promote access to information
22 in both print and electronic format. It is the responsibility
23 of government at all levels to promote, support, implement and

1 maintain library services for the cultural, educational and
2 economic development of the State of Illinois and of the
3 inhabitants of the State of Illinois.

4 (Source: P.A. 77-1690.)

5 (15 ILCS 320/7) (from Ch. 128, par. 107)

6 Sec. 7. Purposes of the State Library. The Illinois State
7 Library shall:

8 (a) Maintain a library for officials and employees of the
9 State, consisting of informational material and resources
10 pertaining to the phases of their work, and serve as the
11 State's library by extending its resources to citizens of
12 Illinois.

13 (b) Maintain and provide research library services for all
14 State agencies.

15 (c) Administer the Illinois Library System Act.

16 (d) Promote and administer the law relating to Interstate
17 Library Compacts.

18 (e) Enter into interagency agreements, pursuant to the
19 Intergovernmental Cooperation Act, including agreements to
20 promote access to information by Illinois students and the
21 general public, and cooperate with acquiring and sharing
22 electronic resources, e-books, and e-audiobooks.

23 (f) Promote and develop a cooperative library network
24 operating regionally or statewide for providing effective
25 coordination of the library resources, including e-books and

1 e-audiobooks, of public, academic, school, and special
2 libraries.

3 (g) Administer grants of federal library funds pursuant to
4 federal law and requirements.

5 (h) Assist libraries in their plans for library services,
6 including funding the State-funded library systems for the
7 purpose of local library development and networking.

8 (i) Assist local library groups in developing programs,
9 including the provision of electronic resources, by which
10 library services can be established and enhanced in areas
11 without those services.

12 (j) Be a clearing house, in an advisory capacity, for
13 questions and problems pertaining to the administration and
14 functioning of libraries in Illinois and to publish booklets
15 and pamphlets to implement this service.

16 (k) Seek the opinion of the Attorney General for legal
17 questions pertaining to public libraries and their function as
18 governmental agencies.

19 (l) Contract with any other library or library agency to
20 carry out the purposes of the State Library. If any such
21 contract requires payments by user libraries for goods and
22 services, the State Library may distribute billings from
23 contractors to applicable user libraries and may receive and
24 distribute payments from user libraries to contractors. There
25 is hereby created in the State Treasury the Library Trust
26 Fund, into which all moneys payable to contractors which are

1 received from user libraries under this paragraph (l) shall be
2 paid. The Treasurer shall pay such funds to contractors at the
3 direction of the State Librarian.

4 (m) Compile, preserve and publish public library
5 statistical information.

6 (n) Compile the annual report of local public libraries
7 and library systems submitted to the State Librarian pursuant
8 to law.

9 (o) Conduct and arrange for library training programs for
10 library personnel, library directors and others involved in
11 library services.

12 (p) Prepare an annual report for each fiscal year.

13 (q) Make available to the public, by means of access by way
14 of the largest nonproprietary nonprofit cooperative public
15 computer network, certain records of State agencies.

16 As used in this subdivision (q), "State agencies" means
17 all officers, boards, commissions and agencies created by the
18 Constitution; all officers, departments, boards, commissions,
19 agencies, institutions, authorities, universities, and bodies
20 politic and corporate of the State; administrative units or
21 corporate outgrowths of the State government which are created
22 by or pursuant to statute, other than units of local
23 government and their officers, school districts and boards of
24 election commissioners; and all administrative units and
25 corporate outgrowths of the above and as may be created by
26 executive order of the Governor; however, "State agencies"

1 does not include any agency, officer, or other entity of the
2 judicial or legislative branch.

3 As used in this subdivision (q), "records" means public
4 records, as defined in the Freedom of Information Act, that
5 are not exempt from inspection and copying under that Act.

6 The State Librarian and each appropriate State agency
7 shall specify the types and categories of records that shall
8 be accessible through the public computer network and the
9 types and categories of records that shall be inaccessible.
10 Records currently held by a State agency and documents that
11 are required to be provided to the Illinois State Library in
12 accordance with Section 21 shall be provided to the Illinois
13 State Library in an appropriate electronic format. The cost to
14 each State agency of making records accessible through the
15 public computer network or of providing records in an
16 appropriate electronic format shall be considered in making
17 determinations regarding accessibility.

18 ~~The~~ As soon as possible and no later than 18 months after
19 ~~the effective date of this amendatory Act of 1995,~~ the types
20 and categories of information, specified by the State
21 Librarian and each appropriate State agency, shall be made
22 available to the public by means of access by way of the
23 largest nonproprietary, nonprofit cooperative public computer
24 network. The information shall be made available in one or
25 more formats and by one or more means in order to provide the
26 greatest feasible access to the general public in this State.

1 Any person who accesses the information may access all or any
2 part of the information. The information may also be made
3 available by any other means of access that would facilitate
4 public access to the information. The information shall be
5 made available in the shortest feasible time after it is
6 publicly available.

7 Any documentation that describes the electronic digital
8 formats of the information shall be made available by means of
9 access by way of the same public computer network.

10 Personal information concerning a person who accesses the
11 information may be maintained only for the purpose of
12 providing service to the person.

13 The electronic public access provided by way of the public
14 computer network shall be in addition to other electronic or
15 print distribution of the information.

16 No action taken under this subdivision (q) shall be deemed
17 to alter or relinquish any copyright or other proprietary
18 interest or entitlement of the State of Illinois relating to
19 any of the information made available under this subdivision
20 (q).

21 (r) Coordinate literacy programs for the Secretary of
22 State.

23 (s) Provide coordination of statewide preservation
24 planning, act as a focal point for preservation advocacy,
25 assess statewide needs and establish specific programs to meet
26 those needs, and manage state funds appropriated for

1 preservation work relating to the preservation of the library
2 and archival resources of Illinois.

3 (t) Create and maintain a State Government Report
4 Distribution Center for the General Assembly. The Center shall
5 receive all reports in all formats available required by law
6 or resolution to be filed with the General Assembly and shall
7 furnish copies of such reports on the same day on which the
8 report is filed with the Clerk of the House of Representatives
9 and the Secretary of the Senate, as required by the General
10 Assembly Organization Act, without charge to members of the
11 General Assembly upon request. This paragraph does not affect
12 the requirements of Section 21 of this Act relating to the
13 deposit of State publications with the State library.

14 (u) Provide a digital platform to expand access to the
15 State Library's collection.

16 (Source: P.A. 91-507, eff. 8-13-99; 92-16, eff. 6-28-01;
17 92-617, eff. 1-1-03.)

18 (15 ILCS 320/10) (from Ch. 128, par. 110)

19 Sec. 10. Users of the State Library. Library services,
20 including electronic resources to the fullest extent possible,
21 shall be supplied to: State Officers and Officials; members of
22 the General Assembly and staff; State agency employees; patrons
23 of libraries with whom consortial agreements have been
24 established; and the general public.

25 (Source: P.A. 91-507, eff. 8-13-99.)

1 (15 ILCS 320/11) (from Ch. 128, par. 111)

2 Sec. 11. Services of the State Library. Services provided
3 to users of the State Library include but are not limited to
4 circulation, reference, and interlibrary loan.

5 (a) Circulation.

6 (1) Library materials designated as circulating shall
7 be directly loaned on site to: State officials; members of
8 the General Assembly and staff; State agency employees;
9 individuals who hold valid Illinois public library cards;
10 individuals who hold valid library cards from libraries
11 with whom consortial agreements have been reached that
12 specify reciprocal borrowing privileges; and other
13 individuals as specified by the State Librarian or his or
14 her designee.

15 (2) Any individual requesting circulation of material
16 from the State Library must fill in an application for
17 this service, thereby becoming officially recorded as a
18 registered borrower of the State Library.

19 (3) All requests for materials or information will be
20 kept confidential in accordance with the Library Records
21 Confidentiality Act.

22 (b) Reference.

23 (1) Instructions on how to use the library and its
24 resources are available to any patron.

25 (2) The quick provision of factual information shall

1 be provided to any individual.

2 (3) Provision of research assistance shall be provided
3 to officials and employees of State government for
4 work-related purposes.

5 (c) Interlibrary loan.

6 (1) Borrowing. Materials shall be borrowed from other
7 libraries on behalf of State officials, members of the
8 General Assembly and staff, and State agency employees who
9 are registered borrowers of the State Library for their
10 work-related needs. Any fees for interlibrary loan lending
11 shall be paid by the requesting patron or agency.

12 (2) Lending. Circulating State Library materials shall
13 be loaned to other libraries that request the materials on
14 behalf of their patrons.

15 (d) Electronic resources. To the fullest extent possible,
16 electronic resources shall be available, accessible, and
17 subject to reasonable limitations as negotiated by the State
18 Librarian.

19 (Source: P.A. 91-507, eff. 8-13-99.)

20 Section 90. The State Finance Act is amended by adding
21 Section 5.990 as follows:

22 (30 ILCS 105/5.990 new)

23 Sec. 5.990. The License to Read Fund.

24 Section 99. Effective date. This Act takes effect upon

1 becoming law.