



# Montgomery County

## Office of Intergovernmental Relations

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**ROCKVILLE: 240-777-6550**

**ANNAPOLIS: 240-777-8270**

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**SB 432**

**DATE: February 9, 2021**

**SPONSOR: Senator King**

**ASSIGNED TO: Education, Health, and Environmental Affairs**

**CONTACT PERSON: Kathleen Boucher (kathleen.boucher@montgomerycountymd.gov)**

**POSITION: Support (Department of Public Libraries)**

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### **Public Libraries – Electronic Book Licenses – Access**

With certain exceptions, this bill requires a publisher that offers to license an eBook or audiobook to the public to also offer to license the book to public libraries with reasonable terms and conditions. The bill would have a positive impact on the ability of Montgomery County Public Libraries to provide these materials to County residents.

The circulation of digital materials to our community has increased by 15% from fiscal year 2019 to fiscal year 2020, as the circulation of physical materials has dropped by 32% in the same period. Residents were moving to digital platforms before the pandemic, but the trend has accelerated in the past year. Unfortunately, some current and past practices of publishers have negatively impacted the ability of library users to access eBooks and audiobooks.

Currently, Amazon and Audible, which between them have over 20,000 “exclusive” digital titles, do not allow libraries to license these digital materials. Much of this content is in high demand, including works by many well-known authors such as J. K. Rowling, Margaret Atwood, Alice Walker, Dean Koontz, and Neil Gaiman. Blackstone, a major provider of audiobooks, currently supplies ten new titles each month exclusively to Audible and does not allow libraries to purchase them until three months after release. Last year at this time, Macmillan, one of the “Big 5” publishers, was limiting library access to newly released titles for three months. Macmillan rescinded this policy during the pandemic but might revert to more restrictive policies in the future. These practices weigh most heavily on residents who cannot afford to buy the titles they would like to read.

Libraries are working very hard to narrow the digital divide by providing wireless access in library parking lots, loaning laptops and mobile hot-spots, using Bookmobiles as traveling hotspots to take internet to the far reaches of Maryland’s counties, and continuing to increase access to computers within library buildings. These important efforts are significantly hampered when libraries cannot obtain the underlying materials that are needed by library users.

The Montgomery County Department of Libraries strongly supports this bill and respectfully requests that the Senate Education, Health and Environmental Affairs Committee give the bill a favorable report.