



Testimony in support of HB 518, Public Libraries – Electronic Book Licenses – Access

Hearing before the House Ways and Means Committee

February 5, 2021

Submitted by Tonya Aikens, HCLS President & CEO

Dear Chair Kaiser, Vice-Chair Washington, and Distinguished Members of the Committee:

I am the President and CEO of Howard County Library System serving 328,000 citizens every year in our 6 branches. I thank you for support of public libraries across the state and request your support of HB 518, Electronic Book Licenses – Access. This legislation requires a publisher who offers to license an electronic book to the public to also offer to license the book to public libraries in the State on reasonable terms that would enable public libraries to provide library users with access to the electronic book. Additionally, HB 518 requires the license terms authorizing public libraries to provide access to electronic books to include certain limitations and measures.

A credit card should not be required to be an informed Marylander. Some current and past publisher practices hurt Maryland Library Readers. Currently, Amazon and Audible, which between them have over 20,000 “exclusive” titles, will license certain content to consumers but not to libraries. 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, Neil Gaiman, and others. A major provider of audiobooks, Blackstone, currently supplies ten new titles per month exclusively to Audible, disallowing the purchase of the titles by libraries for three months after release. This time last year, Macmillan, one of the “Big 5” publishers, was also limiting library access to titles for three months. Macmillan rescinded this policy during the pandemic but could revert to more restrictive policies later. HB518 will simply allow Maryland libraries to provide this content. Such publisher practices weigh most heavy on those who are asset limited, as not everyone can afford to all the titles they would like to read and need to facilitate their academic growth.

There are several additional key facts that support HB518:

- Libraries benefit publishers by allowing discovery of titles and often leading readers to find what they want to purchase. A [Pew Report](#) verified: “Looking specifically at library card holders, we find they are buyers as well as borrowers of books.”
- Libraries already follow all publisher license restrictions on the use of digital content, but HB518 stipulates that we will act fairly to prevent unauthorized use.
- Library digital content has built in protections to prevent unauthorized use and we rigorously protect author’s rights.
- Libraries pay agreed-upon prices and work with publishers as partners. Libraries simply want fair access for all Maryland readers.

Howard County residents value and use their libraries! Our customers read across all formats at all times, especially so during the pandemic where use of electronic books has spiked 71%.

Thank you for your continued support of Maryland libraries. Please let me know if you would like to discuss the impact of this legislation in more detail.

Sincerely,

Tonya Aikens
President & CEO