



THE LEADING ADVOCATE FOR THE MARYLAND LIBRARY COMMUNITY

PRESS RELEASE

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Maryland Libraries Work with Publishers to Set “Reasonable Terms”

Regarding Article II, Section 17 (c) of the Maryland Constitution – Chapter 411

Annapolis, Maryland – The **Public Libraries – Electronic Literary Product Licenses – Access Law (HB518/SB432)** will go into effect on January 1, 2022 helping to maintain equal access for readers across Maryland and setting a precedent nationwide. The legislation, widely embraced by both Democrats and Republicans and supported by Governor Hogan, will require “a publisher who offers to license an electronic literary product to the public to also offer to license the product to public libraries in the State on **reasonable terms** that would enable public libraries to provide library users with access to the electronic literary product.”

Libraries are currently working with publishers to establish mutually beneficial agreements for the good of Maryland readers and learners. A start to this process is the release by Maryland Library Association (MLA) of the attached **Statement on Maryland’s Digital Content Law**. This statement offers a way to frame the discussion around digital content and help set terms.

Before the law was passed, most publishers made their full catalogs available to libraries in some form. Conditions for borrowing varied and often may not have been defined as “reasonable” by library systems, and even Amazon does not make its exclusive digital content available to libraries. Maryland’s public libraries are committed to making sure that all members of our community have equitable access to library resources. When libraries were shut out of the marketplace of ideas and information, Maryland’s public libraries acted to ensure that readers of all ages, borrowing from Maryland’s libraries, would have access to a full range of high-quality informational and literary titles, and the same access as the retail marketplace.

The Maryland library community extends its sincerest appreciation to our legislators, especially Senator Nancy King and Delegate Kathleen Dumais for sponsoring this groundbreaking legislation, which provides a fair framework for libraries to share titles while respecting the publishers’ rights to license content and an author’s need for fair compensation. Our legislators have focused on equity of access to content and not interfered in the publishing business and library marketplace by setting specific terms.

“We are very excited for the opportunity for Libraries to engage with stakeholders and negotiate reasonable terms with publishers to provide the best possible services and materials to our customers.

We know that Libraries are vital to strong communities and will continue to work to ensure access for everyone.” –Mary Anne Bowman, Maryland Library Association President

“Converging on ‘reasonable terms’ must engage all stakeholders. ALA applauds the Maryland Library Association for its approach in proposing a framework and encouraging discussion. Libraries need access to the full range of published digital content, and are willing to pay a fair price for it—but not more.” – Patty Wong, American Library Association (ALA) President

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Contact Ryan O’Grady (MLA Interim Executive Director) or Mary Anne Bowman (MLA President) for more information.

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