It is enacted by the General Assembly as follows:

SECTION 1. Title 6 of the General Laws entitled "COMMERCIAL LAW - GENERAL REGULATORY PROVISIONS" is hereby amended by adding thereto the following chapter:

CHAPTER 58

ELECTRONIC BOOK LICENSES TO LIBRARIES


Whenever used in this chapter, unless the context requires otherwise:

(1) "Digital audiobook" means a published work that has been converted into a voice recording (narrated) and released in a digital audio file that is listened to on a computer, tablet, smart phone, or electronic device;

(2) "Electronic book" means a text document that has been converted into or published in a digital format that is read on a computer, tablet, smart phone, or electronic device; and

(3) "Publisher" means one whose business is the manufacture, promulgation, and/or sale of books, audiobooks, journals, magazines, newspapers, or other literary productions including those in digital form consisting of text, narration, imagery or all three (3).


Any publisher who offers to license electronic books and digital audiobooks to the public shall offer to license such books to libraries in the state on reasonable terms that would permit the libraries to provide their users with access to such electronic books.

(1) Such reasonable terms shall include:
(i) A limitation on the number of users to whom the libraries may simultaneously provide
access to the electronic books;
(ii) A limitation on the number of days the libraries may provide a user with access to the
electronic books; and
(iii) The use of technological protection measures that would prevent a user from:
(A) Maintaining access to the electronic books beyond the access period set forth in the
license; and
(B) Providing other users with access to the electronic books.
(2) Such reasonable terms shall not include a limitation on the number of licenses for
electronic books that libraries may purchase on the same date available to the public.

A violation of this chapter shall be deemed an unfair and deceptive trade practice within
the meaning of chapter 13.1 of this title, and any remedy provided pursuant to chapter 13.1 of this
title shall be available for the enforcement of this chapter.

SECTION 2. This act shall take effect upon passage.
This act would create the electronic book licenses to libraries act which requires a publisher who offers to license electronic books and digital audiobooks to the public shall offer to license such books to libraries in the state on reasonable terms which would permit the libraries to provide their users with access to such electronic books. Any violation of the chapter shall be deemed an unfair and deceptive trade practice.

This act would take effect upon passage.