

Regulating eBook Licensing

By: Samantha Prins, Legislative Analyst II
September 15, 2026 | 2026-R-0123

Issue

Provide a summary of eBook licensing legislation in Connecticut and other states.

Summary

Connecticut and Rhode Island passed laws seeking to regulate digital book and digital audiobook (eBooks) licensing contracts between libraries and publishers, however, the laws are not yet effective because each includes a trigger provision (see below) that has not been met. Many other states have introduced but not adopted similar legislation based on model legislation provided by a library-related advocacy group ([Library Futures](#)).

Generally, the model legislation prohibits licensing agreements for digital literary materials between libraries and publishers from including provisions that:

1. preclude, limit, or restrict the library from performing customary operational or lending functions;
2. restrict the number of licenses for electronic literary materials;
3. require the library to acquire a license for a higher price than that charged to the public;
4. restrict the library's right to determine loan periods;
5. restrict the number of times a library may loan out licensed electronic materials;
6. restrict the duration of a licensing agreement;
7. restrict the library from disclosing the terms of the contract or license agreement to another library; or

8. require the library to violate certain state laws on library patrons' privacy.

Connecticut eBook Licensing Law

In 2025, Connecticut enacted [PA 25-9](#) (codified as CGS § 11-24e) that prohibits publicly funded libraries from entering or renewing contracts and licensing agreements with publishers for electronic literary materials that prevent, limit, or restrict the library from performing certain customary operational or lending functions. However, the prohibition only applies starting 60 days after the secretary of the state determines that a substantially similar law has been enacted by one or more other states with a combined population of at least 7 million.

The law applies (1) to any public library, public elementary or secondary school library, academic or research library, or public archive that is partially or fully funded (such as through grants, loans, insurance, or matching expenditures) by the state or one of its political subdivisions (including municipalities) and (2) for the duration of the fiscal year in which the library or archive receives the funding and the next fiscal year after that. It also applies to the Connecticut State Library (regardless of the funding or its duration).

Under the law, “publishers” are businesses that manufacture, promulgate, license, or sell books, journals, magazines, newspapers, or other literary productions (including digital formats and digital audiobooks) or aggregators in the business of licensing access to material collections, including works from multiple publishers, that enter into contracts with libraries to sell or license these materials.

Prohibition Trigger

Under the law, the state librarian must verify, at least quarterly, whether any other states have enacted a substantially similar law. Then, within 30 days after the secretary of the state, in consultation with the state librarian, determines that such a law has been enacted in one or more other states with a combined population of at least 7 million, according to the most recent U.S. decennial census, the state librarian must electronically notify the education commissioner, Office of Policy and Management (OPM) secretary, and all libraries operated by a state agency about the determination and when the law’s prohibition will become effective.

The state librarian and the secretary of the state must also post the determination and effective date on their websites. In addition, the OPM secretary must electronically notify all of the state’s municipalities about the determination and effective date, and the education commissioner must do the same for all public elementary and secondary schools.

Agreement Terms

Prohibited Terms

Starting 60 days after the secretary of the state makes the determination described above, the law generally prohibits the covered libraries from entering or renewing agreements with publishers that prevent, limit, or restrict their ability to perform customary operational or lending functions. More specifically, the law prohibits the libraries from entering agreements that:

1. prohibit the library from lending any electronic literary material, including through an interlibrary loan;
2. restrict the number of times the library may loan electronic literary material over the course of the agreement if it also restricts the library's loan period for the material;
3. limit the number of licenses the library can buy on the day the material is made available for public purchase;
4. prohibit the library from making nonpublic preservation copies;
5. restrict the library from disclosing an agreement's terms to another Connecticut library;
6. restrict the duration of the agreement for electronic literary material unless the library also has the option of an agreement on commercially reasonable terms, considering the library's mission, that allows (a) a pay-per-use model or (b) perpetual public use of the material;
7. require the library to violate the law that protects its patrons' confidential information;
8. are non-severable from any of its provisions that a judicial forum finds prohibited by the law; or
9. allow any of the law's prohibited provisions to be enforced outside of a judicial forum (such as through arbitration).

Permissible Terms

The law also specifies that the libraries' agreements with publishers may include provisions:

1. that limit the number of borrowers with simultaneous access to any electronic literary material and
2. on the library's reasonable use of technological protection measures that prevent a borrower from (a) maintaining access to material beyond the agreement's allowable loan period or (b) sharing access to the material with other borrowers.

Legislation in Other States

Many states (for example, [Hawaii](#), [Illinois](#), [Minnesota](#), [New Jersey](#), and [New York](#)) have considered similar bills recently. Rhode Island passed two laws ([Public Law 2026-343](#) and [Public Law 2026-344](#)) that place limits on contracts between publishers and libraries for eBooks and audiobooks. However, these laws will take effect when at least four other states with a combined population of at least 10 million pass similar laws. (Rhode Island's population is approximately 1.1 million, and Connecticut's population is approximately 3.7 million, so neither state's trigger has been met.) Relatedly, DC passed a similar law ([DC Law 26-149](#)) restricting eBook licensing agreements which will take effect when 10 or more states with a combined population of 50 million pass similar laws.

In 2021, [Maryland](#) and [New York](#) passed laws that would have generally required publishers who license eBooks to the public to also license them to public libraries on "reasonable terms." [However](#), Governor Hochul vetoed the New York bill, and a federal court [ruled](#) that federal copyright law preempts the Maryland law from regulating eBook licenses.

SP:ms