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ACLU OF RI POSITION: NEUTRAL/SUPPORT IN PART

**TESTIMONY ON 26-S 2525,
RELATING TO LIBRARY EBOOK PRACTICES
March 4, 2026**

The ACLU of Rhode Island has no general position on this bill dealing with the licensing of electronic literary materials to libraries. However, we wish to express our support for two specific provisions in the bill that we believe are independently important in protecting First Amendment rights.

First, we refer to proposed R.I.G.L. § 6-13.4-2(B)(4) which would bar license agreements from requiring or enabling libraries to violate the state law protecting the confidentiality of patrons' library records. That long-standing statute is a critical protection against prying eyes, whether governmental or private, attempting to investigate or disclose the reading habits of members of the public without their consent. The ACLU supports this bill's attempt to prevent the erosion of this important privacy safeguard. We do not know whether, or to what extent, this has been an issue in licensing agreements, but we welcome enshrining into law a guarantee that it will not be one in Rhode Island.

We also support the preceding subsection of the bill, § 6-13.4-2(B)(3), which would bar companies from imposing e-book licensing non-disclosure agreements on libraries. This restriction on the use of NDAs similarly furthers First Amendment rights and is a positive provision deserving favorable consideration.

Thank you for your consideration of our views.