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AB-1185 California Library Services, Equity in Opportunity Act. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1185

Introduced by Assembly Member Hart

February 21, 2025

An act to amend Sections 18700, 18710, 18720, 18722, 18724, and 18726 of, and to repeal and add Sections 18701, 18702, and 18703 of, the Education Code, relating to libraries.

LEGISLATIVE COUNSEL'S DIGEST

AB 1185, as introduced, Hart. California Library Services, Equity in Opportunity Act.

Existing law, the California Library Services Act, states the intent of the Legislature to provide all residents with the opportunity to obtain from their public libraries needed materials and informational services by facilitating access to the resources of all libraries in this state. The act establishes the California Library Services Board consisting of 13 members, appointed as provided, with the State Librarian as the chief executive officer of the state board. Under the act, the powers and duties of the state board include, among other things, the adoption of rules, regulations, and general policies for the implementation of the act, as provided.

This bill would rename the California Library Services Act as the California Library Services, Equity in Opportunity Act, and would revise and recast the act to, among other things, state the intent of the Legislature to create access to opportunity for all Californians at public libraries, as provided. The bill would rename the California Library Services Board as the California Library Services, Equity in Opportunity Board and would reduce the size of the board to 11 members, appointed as provided. The bill would prescribe the duties of the state board to instead be to, among other things, advise the State Librarian on the adoption of rules, regulations, and general policies for the implementation of the act, as provided. The bill would require the State Librarian to ensure staff support for the state board.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 18700 of the Education Code is amended to read:

18700. This chapter shall be known as the ~~California~~ "California Library ~~Services Act.~~ Services, Equity in Opportunity Act."

SEC. 2. Section 18701 of the Education Code is repealed.

~~18701. The Legislature finds and declares that it is in the interest of the people of the state to ensure that all people have free and convenient access to all library resources and services that might enrich their lives, regardless of where they live or of the tax base of their local government. This finding is based on the recognition that:~~

~~(a) The public library is a primary source of information, recreation, and education to persons of all ages, any location, or any economic circumstance.~~

~~(b) The expansion of knowledge and the increasing complexity of our society creates a need for materials and information that goes beyond the ability of any one library to provide.~~

~~(c) The public libraries of California are supported primarily by local taxes. The ability of local governments to provide adequate service is dependent on the taxable wealth of each local jurisdiction and varies widely throughout the state.~~

~~(d) Public libraries are unable to bear the greater costs of meeting the exceptional needs of many residents, including people with disabilities, non-English speaking and limited-English speaking persons, those who are confined to home or in an institution, and those who are economically disadvantaged.~~

~~(e) The effective sharing of resources and services among the libraries of California requires an ongoing commitment by the state to promote access to information in both print and digital format.~~

SEC. 3. Section 18701 is added to the Education Code, to read:

18701. The Legislature finds and declares all of the following:

(a) The state's local libraries should provide all Californians with equal and equitable access to the information and services, both digitally and in-person, that are necessary for personal and professional success.

(b) California's more than 1,130 public libraries are as unique and diverse as the communities they serve. All local libraries are trusted community hubs, anchor institutions that strengthen their communities, and serve as gathering places, havens, and bridges across the digital divide.

(c) Libraries and their shared resources are essential parts of the state's system of public education and allow Californians of all ages and backgrounds to realize their fullest potential.

(d) California public libraries are supported primarily by local taxes. The ability of local governments to provide adequate services is dependent on the taxable wealth of each local jurisdiction and varies widely throughout the state.

SEC. 4. Section 18702 of the Education Code is repealed.

~~18702. It is the intent of the Legislature to provide all residents with the opportunity to obtain from their public libraries needed materials and informational services by facilitating access to the resources of all libraries in this state.~~

~~This policy shall be accomplished by assisting public libraries to improve service to the underserved of all ages, and by enabling public libraries to provide their users with the services and resources of all libraries in this state.~~

SEC. 5. Section 18702 is added to the Education Code, to read:

18702. It is the intent of the Legislature to create access to opportunity for all Californians at public libraries by offering all of the following:

(a) Physical and digital resources for education and continuing education.

(b) Programs strengthening English proficiency and academic success.

(c) Support for early learning and child wellness.

(d) Connections to broadband.

(e) In-person and online services to aid individuals in seeking jobs and lifelong learners.

SEC. 6. Section 18703 of the Education Code is repealed.

~~18703. In adopting this chapter, the Legislature declares that its policy shall be as follows:~~

~~(a) To reaffirm the principle of local control of the government and administration of public libraries, and to affirm that the provisions of this chapter apply only to libraries authorized by their jurisdictions to apply to participate in the programs authorized by this act.~~

~~(b) To require no library, as a condition for receiving funds or services under this chapter, to acquire or exclude any specific book, periodical, film, recording, picture, or other material, or any specific equipment, or to acquire or exclude any classification of books or other material by author, subject matter, or type.~~

~~(c) To encourage the adequate financing of libraries from local sources, with state aid to be furnished to supplement, not supplant, local funds.~~

~~(d) To encourage service to the underserved of all ages.~~

~~(e) To encourage and enable the sharing of resources between libraries.~~

~~(f) To ensure public participation in carrying out the intent of this act.~~

SEC. 7. Section 18703 is added to the Education Code, to read:

18703. The purpose of this chapter is to do all of the following:

(a) Ensure that all Californians, regardless of circumstance or community, have equitable online and in-person access to the resources necessary for success in California's diverse multicultural society.

(b) Provide an ongoing commitment by the state to facilitate access to information in both print and digital format that will supplement, rather than replace, existing funding for libraries.

(c) Ensure that the people of California have free and convenient in-person and online access to resources and services to help them succeed personally and professionally by making funding available to assist in providing all of the following core services:

(1) Access to broadband.

(2) Early learning and child wellness resources.

(3) Resources to aid K–12 and postsecondary education academic success.

(4) Programs and resources to increase literacy and biliteracy in adults and children.

(5) Opportunities for personal enrichment or enjoyment.

(d) Ensure that libraries are not required to, as a condition of receiving funds or services under this chapter, buy, provide access to, or exclude any specific book in any format, periodical, film, database, online resource, photograph, or other material or medium.

(e) Ensure that libraries are not required to buy, provide access to, or exclude any classification of books or other material by author, subject matter, or type.

SEC. 8. Section 18710 of the Education Code is amended to read:

18710. ~~As used in~~ *For purposes of* this chapter, the following ~~terms have the following meanings; definitions apply~~ unless the context otherwise indicates or unless specific exception is made:

~~(a) "Academic library" means a library established and maintained by a college or university to meet the needs of its students and faculty, and others by agreement.~~

~~(b)~~

(a) "Act" means the California Library ~~Services Act.~~ Services, Equity in Opportunity Act.

(b) "Broadband" means communications network facilities that enable high-speed internet access.

(c) "Cooperative library system" means a ~~public library system that consists of two or more jurisdictions entering into a written agreement to implement a regional program in accordance with this chapter, and that, as of the effective date of this chapter, was designated a library system under the Public Library Services Act of 1963 or was a successor to that library system.~~ consortium of public libraries that consists of two or more jurisdictions entering into a written agreement to implement one or more programs in accordance with this chapter.

- (d) "Direct loan" means the lending of a book or other item directly to a borrower.
- (e) "Equal *and equitable* access" means the right of ~~the residents of jurisdictions that are members of a cooperative library system to use on an equal basis with one another the~~ *all users, regardless of circumstance, to* services and loan privileges ~~of any and all other members of the same system. at all public libraries without discrimination.~~
- (f) "Independent public library" means a public library that is not a member of a system.
- (g) "Interlibrary loan" means the lending of a book *in any format, including, but not limited to, digital*, or other item from one library to another as the result of a user request for the item.
- (h) "Jurisdiction" means a county, city and county, city, or any district that is authorized by law to provide public library services and that operates a public library.
- (i) "Libraries for institutionalized persons" means libraries maintained by institutions for the purpose of serving their resident populations.
- (j) "Public library" means a library, or two or more libraries, that is operated by a single public jurisdiction and that serves its residents free of charge.
- (k) "School library" means an organized collection of printed and audiovisual materials that satisfies all of the following criteria:
- (1) Is administered as a unit.
 - (2) Is located in a designated place.
 - (3) Makes printed, audiovisual, and other materials as well as necessary equipment and services of a staff accessible to elementary and secondary school pupils and teachers.
- (l) "Special library" means one maintained by an association, government service, research institution, learned society, professional association, museum, business firm, industrial enterprise, chamber of commerce, or other organized group and the greater part of their collections being in a specific field or subject, such as natural sciences, economics, engineering, law, and history.
- (m) "Special Services Programs" means a project establishing or improving service to the underserved of all ages.
- (n) "State board" means the California Library ~~Services~~ *Services, Equity in Opportunity* Board.
- (o) "System" means a cooperative library system.
- (p) "Underserved" means any population segment with exceptional service needs not adequately met by traditional library service patterns, including, but not limited to, those persons who are geographically isolated, economically disadvantaged, functionally illiterate, of non-English-speaking or limited-English-speaking ability, homebound, or institutionalized, or who are persons with disabilities.
- (q) "Universal borrowing" means the extension by a public library of its direct loan privileges to the eligible borrowers of all other public libraries.

SEC. 9. Section 18720 of the Education Code is amended to read:

18720. (a) There is hereby established in the state government the California Library ~~Services~~ *Services, Equity in Opportunity* Board, to consist of ~~13~~ *11* members. ~~The Governor shall appoint nine members of the board. Three of the Governor's appointments shall be representative of laypersons, one of whom shall represent people with disabilities, one of whom shall represent limited- and non-English-speaking persons, and one of whom shall represent economically disadvantaged persons. Each of the 11 members shall be broadly representative of the people that are served by the state's libraries and shall reflect the cultural traditions of Californians throughout the diverse geographic areas of the state.~~

(b) The Governor shall ~~also~~ appoint ~~six~~ *seven* members of the ~~board, each of whom shall represent one of the following categories: school libraries, libraries for institutionalized persons, public library trustees or commissioners, public libraries, special libraries, and academic libraries.~~ *board.*

(c) The Legislature shall appoint the remaining four ~~public members from persons who are not representative of categories mentioned in this section.~~ *members.* Two shall be appointed by the Senate Committee on Rules and two shall be appointed by the Speaker of the Assembly.

(d) The terms of office of members of the board shall be for four years and shall begin on January 1 of the year in which the respective terms are to start.

~~(e) On January 1, 2013, the members of the board shall be those persons serving on the former Library of California Board, appointed pursuant to former Section 18820, as it existed on December 31, 2012, who shall serve for the duration of their terms.~~

SEC. 10. Section 18722 of the Education Code is amended to read:

18722. The concurrence of ~~seven~~ *six* members of the state board shall be necessary to the validity of any of its acts.

SEC. 11. Section 18724 of the Education Code is amended to read:

18724. The duties of the state board shall be to ~~adopt~~ *advise the State Librarian on the adoption of* rules, regulations, and general policies for the implementation of this chapter. In addition, the state board, consistent with the terms and provisions of this chapter, shall have the following powers and duties:

(a) To ~~direct~~ *advise* the State Librarian in the administration of this chapter.

~~(b) To review for its approval all annual proposals submitted under this chapter.~~

~~(c)~~

~~(b)~~ To ~~expend the funds appropriated~~ *recommend fund expenditures* for the purpose of implementing ~~the provisions of~~ this chapter.

~~(d) To require participating libraries and systems to prepare and submit any reports and information that are necessary to carry out the provisions of this chapter, and to prescribe the form and manner for providing those reports and information.~~

~~(e) To require that any public library participating in programs authorized by this chapter provide access to its bibliographic records and materials location information consistent with the legislative policy of encouraging the sharing of resources between libraries.~~

(c) To review any reports and information submitted by the California State Library pursuant to this chapter.

SEC. 12. Section 18726 of the Education Code is amended to read:

18726. The State Librarian shall be the chief executive officer of the state board for purposes of this chapter and shall:

(a) Make ~~such~~ reports and recommendations as ~~may be required~~ *requested* by the state board.

(b) Administer the provisions of this chapter.

(c) Review all claims to ~~insure~~ *ensure* programmatic and technical compliance with ~~the provisions of~~ this chapter.

(d) Ensure staff support for the state board for purposes of this chapter.