

**Government Administration and Elections Committee**  
**JOINT FAVORABLE REPORT**

**Bill No.:** HB-6829

AN ACT PROHIBITING ELECTRONIC BOOK AND DIGITAL AUDIOBOOK  
LICENSE AGREEMENTS OR CONTRACTS FROM INCLUDING CERTAIN

**Title:** TERMS.

**Vote Date:** 03/24/2023

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/6/2023

**File No.:**

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

**SPONSORS OF BILL:**

Government Administration and Elections Committee

**REASONS FOR BILL:**

To prohibit publishers of electronic books and digital audiobooks from including certain restrictions in contracts or license agreements with libraries of the state, to meet the requests of several library directors who have testified to difficulty with the current system of obtaining electronic books and digital audiobooks to meet the demands of public access to this material.

**RESPONSE FROM ADMINISTRATION/AGENCY:**

None Expressed

**NATURE AND SOURCES OF SUPPORT:**

**Jennifer Schaefer, Ampersand Therapy:** Ms. Schaefer notes her support for HB-6829. She specifically notes how the privacy awarded by e-books and digital audio books is very beneficial to her clients. She then notes how her greatest frustration is a lack of certain titles and that waiting lists can be quite extensive.

**Colleen Bailie, Executive Director of West Haven Library:** Ms. Bailie notes the vast differences in pricing, with e-books, compared to regular books within libraries. She then notes how e-books expire after around 2 years, or 25 uses of the book. Ms. Bailey then notes how e-books account for nearly 20% of total circulation, and she believes that number

would be higher if only they could meet the demand which they had. They ask that e-books be priced appropriately, stating that this is an issue of fairness and equity, and that it needs to be resolved.

**Fran Altvater, University of Hartford:** Fran Altavater supports HB-6829, noting how they read almost exclusively e-books due to the ability to change font size and light conditions for their eyes. They urge members of the committee and the general assembly to support HB-6829 and support local libraries across the state.

**Raechel Guest, Director, Silas Bronson Library:** Raechel Guest notes the current structure for Libraries regarding e-books and other digital material is significantly more expensive than their physical counterparts. They note how they aren't purchasing e-books; they are in fact leasing them. To conclude Ms. Guest state how the current process in place makes it extremely difficult for them to provide their patrons with material they wish to borrow.

**Maude McGovern:** Ms. McGovern notes that as an avid user of public libraries, the passage of HB-6826, would assist members of the community who rely upon audiobooks and e books, most specifically those with a disability of some kind. She asks that members of the general assembly please help their local libraries.

**The following individuals submitted testimony in support of HB-6829, they cited reasons similar to aforementioned testimony:**

Kate Byroade, Director, Cragin Memorial Library  
Kyle K. Courtney, Esq  
Juliya M. Ziskina, Esq  
Carl DeMilia, Executive Director, Bibliomation, Inc  
Shelley Holley, M.L.S. Head of Circulation Services, Southington Public Library  
Cragin Memorial Library, Board of Trustees, Colchester CT  
Elizabeth Lane, Director of Bloomfield Public Library, Bloomfield, Connecticut.  
Melissa Marguy, Outreach Librarian, West Haven Public Library  
Ellen Paul, Executive Director, CT Library Consortium  
Kate Sheehan, Head of IT, Stratford Library  
Brook Berry, Library Director, Wethersfield Library  
Ramona A. Burkey, Director, Russell Library  
Priscilla Colwell, Library Director, Putnam Public Library  
Gretchen DelCegno, Library Director  
Glenn Grube, Library Director, Avon Free Public Library  
Debbie Herman  
Douglas Lord, President, Connecticut Library Association  
Sarah McCusker  
Janet Nocek, Library Director, Portland Library  
Cathy Puleo  
Daniel C. Rosenthal, First Selectman, Town of Newtown  
Deborah Schander, State Librarian, Connecticut State Library  
Lynn Zaffiano, Director, Easton Public Library

## **NATURE AND SOURCES OF OPPOSITION:**

**Mary Rasenberger, CEO, The Authors Guild:** Ms. Rasenberger and the authors guild strongly oppose HB-6829, stating that "it prejudices the exclusive rights guaranteed by federal copyright law to our members and all authors.". They then note the similarities between this bill and a bill which was passed in NY, during the year 2021, and that it was vetoed by the governor. They also note another bill which was struck down by the federal court in Maryland. They conclude by stating their opposition to HB-6829 in light of its "Unconstitutionality", and possible serious repercussions should it pass.

**Dr. Kurt Brackob, Advocacy committee, Independent Book Publishers Association:** Mr. Brackob and the Independent Book Publishers Association note that they do wish for all books to be available to libraries in all formats, but they oppose HB-6829. They note that "this bill would violate our members' rights under federal copyright law and the United States Constitution by regulating the licensing terms from copyright owners to libraries for eBook and other electronic formats". They also note that this bill would place a great deal of undue burden on small publishers to negotiate "reasonable terms" with libraries for e-books. They respectfully ask that members of the committee Oppose HB-6829, considering broader legal context.

### **The following individuals submitted Testimony in opposition of HB-6829, they cited reasons similar to those mentioned in aforementioned testimony:**

Shelly H. Husband, Senior vice President, Association of American Publishers  
Keith Kupferschmid, CEO, Copyright Alliance  
Anonymous

**Reported by: Thomas Togneri**

**Date: 03-24-2023**