

Comment Report

SF 2230

A bill for an act relating to contracts between a publisher and a library for electronic literary materials, and providing civil penalties.(See SF 2320.)

Subcommittee Members: Taylor, J.-CH, Alons, Bennett

Date: 02/12/2024

Time: 04:00 PM

Location: Room 217 Conference Room

Name: Anne Mangano

Comment: I greatly appreciate SF2230 and proud that legislators are thinking about how restrictive and expensive digital collections are for libraries. Digital collections are extraordinarily expensive for public libraries. Most publishers use the metered access lending model for eBooks. The library purchases access to one digital copy of a specific title for either a specific length of time (one to two years) or a specific number of uses. After weve reached the determined threshold, we lose rights to the title and must repurchase access. As each year goes by, the costs of keeping any title are compounded. For example, after initially purchasing Amor Towles popular novel, The Lincoln Highway, in 2021, we had to repurchase it in October 2023 to keep it in our digital collection. We will have to repurchase it in 2025 and 2027. Having to continually buy the majority of our collection's titles leads us to decide not to repurchase titles that are actively used, simply because we cannot afford them. We also need to balance this repurchasing with the addition of new releases and lower wait times. Titles also start out pricey. In addition to repurchasing, licenses are expensive, unlike the options available to consumers. For example, you can purchase the eBook version of The Lincoln Highway for \$12.99, but the Library pays \$55.00 for a twoyear license. This price only covers access to a single copy of the title; we pay an additional hefty yearly fee to OverDrive to administer the lending. And, while eBooks are expensive, audiobooks are often twice the price. Consumer and library price differences do not exist in physical formats, or if they do, it is largely to a libraries advantage. We negotiate discounts, and the more we purchase overall, the lower our costs per title. However, we are unable to negotiate pricing on digital collections. Pricing, set by the publishers, is fixed across all library digital vendors. We need fair and manageable digital pricing for libraries. Public libraries are unable to access the same digital pricing, and in some cases the same digital content, as consumers. This situation strains the librarys budget and impedes our ability to provide a tried and true library service: access to collections. These unsustainable costs result in long wait times, less title variety, and the inability for us to maintain a collection our community deserves.