

STAND. COM. REP. NO. 1108

Honolulu, Hawaii

MAR 03 , 2023

RE: H.B. No. 1412
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1412, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LIBRARIES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit any contract or license agreement between a publisher and library in the State from:
 - (A) Precluding, limiting, or otherwise restricting the library from performing customary operational and lending functions;
 - (B) Restricting the library from disclosing any terms of its license agreements to other libraries; and
 - (C) Requiring, coercing, or enabling a library to violate laws regarding confidentiality of a patron's library records; and
- (2) Deem an offer or contract that contains the prohibited provisions as an unfair or deceptive act or practice and render the contract void and unenforceable.

2023-2292 HB1412 HD1 HSCR HMSO



Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from the Independent Book Publishers Association, Copyright Alliance, and Association of American Publishers. Your Committee received comments on this measure from the Hawaii State Public Library System.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1412, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Finance,



KYLE T. YAMASHITA, Chair



