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## **Your Rights Under New York State Law**

### **Your Library Card**

The library card issued to you is the key to your registration and patron information. If you are not carrying your library card, it is possible to access your record if you show photo identification. This transaction must be done in person, and it can only be done for your own record. For your protection, New York law restricts access to library records. No one except you may access your address, telephone number, items that are currently checked out on your card, items you have requested, or any other information contained within your record without a court order.

### **Families**

Children have the same rights under this law as adults. Library staff cannot give any information about a patron's registration and circulation record to anyone other than the patron, regardless of age or relationship to the patron. For example, a parent cannot be told what material a child has checked out on the child's card without the child's consent. The library recognizes that in many families, library cards are shared among family members. However, for purposes of compliance with the library policy and state law, only the person to whom the card belongs may have access to information about materials checked out on that card.

Signing a minor's card only shows acceptance of fines and fees; it does not exempt you from New York law. Patrons who do not want their children's records to remain private should check out their children's items on their own cards.

### **The Law**

#### **Confidentiality of Patron Records, Including Minors:**

#### **New York State Civil Practice Law & Rules Section 4509:**

*"Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college & university libraries & library systems of this state, including but not limited to records related to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential & shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of such library & shall be disclosed upon request or consent of the user or pursuant to subpoena, court order, or where otherwise required by statute."*