

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 105 of the Regular Session

1 State of Arkansas

As Engrossed: S1/24/07 S1/31/07

2 86th General Assembly

A Bill

3 Regular Session, 2007

SENATE BILL 27

4  
5 By: Senators Madison, *Salmon*

6 By: Representatives Harrelson, Burris

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8  
9 **For An Act To Be Entitled**

10 *AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF*  
11 *HIGHER EDUCATION TEXTBOOK SALES; TO PROHIBIT*  
12 *INDUCEMENTS TO REQUIRE SPECIFIC TEXTBOOKS; AND*  
13 *FOR OTHER PURPOSES.*

14  
15 **Subtitle**

16 AN ACT TO REGULATE STATE-SUPPORTED  
17 *INSTITUTION OF HIGHER EDUCATION* TEXTBOOK  
18 SALES AND TO PROHIBIT INDUCEMENTS TO  
19 REQUIRE SPECIFIC TEXTBOOKS.

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21  
22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code Title 6, Chapter 60, is amended to add an  
25 additional subchapter to read as follows:

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27 Subchapter 6 – Textbooks and course materials

28 6-60-601. Inducements to require textbooks prohibited.

29 (a) No state-supported institution of higher education in this state  
30 or a department or employee of the institution of higher education shall  
31 demand or receive any present or promised gift, payment, loan, subscription,  
32 advance, deposit of money, services, or any other thing of value as an  
33 inducement for requiring students to purchase a specific textbook for  
34 coursework or instruction.

35 (b) This section shall not prevent an employee of the institution of



1 higher education from receiving either:

2 (1) Sample copies, instructor's copies, or instructional  
3 material of a specific textbook required for coursework or instruction; or

4 (2) Royalties or other compensation from the sale or publication  
5 of a textbook that includes the employee's own writing or work.

6 (c) A violation of this section:

7 (1) Shall be reported within ten (10) business days by the  
8 state-supported institution of higher education to the:

9 (A) Chief academic officer of the institution;

10 (B) Chief legal counsel of the institution; and

11 (C) Legislative Council; and

12 (2) May be reported to the parties identified in subdivision  
13 (c)(1) of this section by any business or consumer.

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15 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
16 General Assembly of the State of Arkansas that institution of higher  
17 education professors may be offered financial incentives to select certain  
18 textbooks and course materials rather than others, and may personally benefit  
19 from the selection of certain textbooks and course materials; that in order  
20 to provide the best state-supported higher education possible, the best  
21 available textbooks and course materials should be objectively selected  
22 without regard to any personal financial gain; and that the passage of this  
23 act is immediately necessary to help students receive the best available  
24 textbooks and course materials needed for a quality education. Therefore, an  
25 emergency is declared to exist and this act being immediately necessary for  
26 the preservation of the public peace, health, and safety shall become  
27 effective on:

28 (1) The date of its approval by the Governor;

29 (2) If the bill is neither approved nor vetoed by the Governor,  
30 the expiration of the period of time during which the Governor may veto the  
31 bill; or

32 (3) If the bill is vetoed by the Governor and the veto is  
33 overridden, the date the last house overrides the veto.

34  
35 /s/ Madison

36 APPROVED: 2/14/2007