

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.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

SENATE BILL 22

5 By: Senator Madison  
6 By: Representatives Harrelson, Greenberg, Burris  
7

## For An Act To Be Entitled

10 AN ACT TO REGULATE THE SELECTION AND USE OF  
11 STATE-SUPPORTED COLLEGE AND UNIVERSITY TEXTBOOKS  
12 AND COURSE MATERIALS; TO MINIMIZE THE COST OF  
13 COLLEGE AND UNIVERSITY TEXTBOOKS AND COURSE  
14 MATERIALS; AND FOR OTHER PURPOSES.

## Subtitle

17 TO REGULATE THE SELECTION AND USE OF  
18 STATE-SUPPORTED COLLEGE AND UNIVERSITY  
19 TEXTBOOKS AND COURSE MATERIALS AND TO  
20 MINIMIZE THE COST OF COLLEGE AND  
21 UNIVERSITY TEXTBOOKS AND COURSE  
22 MATERIALS.

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24  
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26  
27 SECTION 1. Arkansas Code Title 6, Chapter 60, is amended to add an  
28 additional subchapter to read as follows:

29  
30 Subchapter 6 – Textbooks and course materials

31 6-60-601. Selection and use of textbooks and course materials.

32 (a) A state-supported college or university in this state shall  
33 establish and implement policies, procedures, and guidelines for the  
34 selection and use of textbooks and course materials that encourage efforts to  
35 minimize the cost of textbooks and course materials for students while  
36 maintaining the quality of education and academic freedom.



1           (b) The policies, procedures, and guidelines described in subsection  
2 (a) of this section shall require that:

3           (1) Textbook and course material selections are made with  
4 sufficient lead time to permit bookstores to:

5                   (A) Confirm the availability of the selected textbooks and  
6 materials; and

7                   (B) Ensure the maximum availability of used textbooks;

8           (2)(A) Before the selection is finalized, the appropriate  
9 faculty member affirmatively confirms his or her intent to use all items  
10 ordered, including all items sold as part of a bundled package.

11                   (B) The faculty member may not select a bundled package  
12 if the individual items would cost less if purchased separately; and

13           (3) The appropriate faculty member affirmatively acknowledges:

14                   (A) The bookstore's quoted retail price for each textbook  
15 or course material he or she selects; and

16                   (B) That the selected textbook or course material is  
17 necessary to teach the course.

18           (c)(1) As used in this subsection, "bundled" means any combination of  
19 two (2) or more textbooks, workbooks, CD-ROMs, floppy discs, passwords,  
20 interactive hand-held remote devices, flash drives, or any other memory-  
21 storing device as a package for sale if:

22                   (A) Any component of the package is not offered for sale  
23 individually; and

24                   (B) The cost of purchasing the items packaged together as  
25 one (1) purchase equals or exceeds the cost of purchasing the items  
26 individually.

27           (2) No state-supported college or university in this state shall  
28 select or use for instruction a bundled textbook or course material.

29           (3) Before a bundled package is adopted the publisher:

30                   (A) Must disclose the cost of:

31                           (i) Each component of the bundle; and

32                           (ii) The bundled package; and

33                   (B) Acknowledge that retailers will be able to purchase  
34 the individual and bundled items at the stated costs.

35           (d) A violation of this section:

36                   (1) Shall be reported within ten (10) business days by the

1 state-supported college or university to the:

2 (A) Department of Higher Education; and

3 (B)(i) President Pro Tempore of the Senate and Speaker of  
4 the House of Representatives during a regular or special session of the  
5 General Assembly; or

6 (ii) Legislative Council when the General Assembly  
7 is not in session; and

8 (2) May be reported to the parties identified in subdivision  
9 (d)(1) of this section by any business or consumer.

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