

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

As Engrossed: S2/6/07 S2/12/07

# A Bill

SENATE BILL 22

5 By: Senators Madison, *Salmon*  
6 By: Representatives Harrelson, Greenberg, Burris  
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## For An Act To Be Entitled

9  
10 AN ACT TO REGULATE THE SELECTION AND USE OF  
11 TEXTBOOKS AND COURSE MATERIALS AT STATE-SUPPORTED  
12 INSTITUTIONS OF HIGHER EDUCATION; TO MINIMIZE THE  
13 COST OF TEXTBOOKS AND COURSE MATERIALS; AND FOR  
14 OTHER PURPOSES.

### Subtitle

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17 TO REGULATE THE SELECTION AND USE OF  
18 TEXTBOOKS AND COURSE MATERIALS AND TO  
19 MINIMIZE THE COST OF TEXTBOOKS AND  
20 COURSE MATERIALS AT STATE-SUPPORTED  
21 INSTITUTIONS OF HIGHER EDUCATION.  
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23

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

26 SECTION 1. Arkansas Code Title 6, Chapter 60, is amended to add an  
27 additional subchapter to read as follows:  
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29 Subchapter 6 – Textbooks and course materials

30 6-60-601. Selection and use of textbooks and course materials.

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

36 (b) The policies, procedures, and guidelines described in subsection



1 (a) of this section shall require that:

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

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

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

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

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

12 (3) The appropriate faculty member affirmatively acknowledges:

13 (A) The quoted retail price for each textbook or course  
14 material he or she selects; and

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

17 (c)(1) As used in this section, "bundled package" means any  
18 combination of one (1) or more reusable textbooks and one (1) or more non-  
19 reusable textbooks, workbooks, CD-ROMs, floppy disks, passwords, interactive  
20 hand-held remote devices, flash drives, or any other memory-storing device as  
21 a package for sale.

22 (2) No state-supported institution of higher education in this  
23 state shall select or use for instruction a bundled package if:

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

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

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  
36 /s/ Madison