

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.

INTERIM STUDY PROPOSAL 2009-092

State of Arkansas  
87th General Assembly  
Regular Session, 2009

**A Bill**

SENATE BILL 777

By: Senator Madison

Filed with: Senate Interim Committee on Insurance and Commerce  
pursuant to A.C.A. §10-3-217.

**For An Act To Be Entitled**

AN ACT TO PROMOTE COMPETITION AMONG BOOKSTORES AT  
STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION;  
AND FOR OTHER PURPOSES.

**Subtitle**

TO PROMOTE COMPETITION AMONG BOOKSTORES  
AT STATE-SUPPORTED INSTITUTIONS OF  
HIGHER EDUCATION.

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

SECTION 1. Arkansas Code § 6-60-605 is amended to read as follows:  
6-60-605. Campus bookstore advertising.

(a)(1) ~~If any state supported institution of higher education  
advertises or allows an on-campus bookstore~~ State-supported institutions of  
higher education shall allow a private local textbook vendor to submit  
advertising for inclusion in orientation packets or through the electronic  
media services of the state-supported institution of higher education or as  
part of a presentation to ~~any a~~ a student group, ~~then the state supported  
institution of higher education shall allow a private local textbook vendor  
access to distribute the private local textbook vendor's advertising by the  
same distribution method if requested in writing by the private local  
textbook vendor.~~

(2) The state-supported institution of higher education:



1 (A) Shall distribute the advertising of a private local  
2 textbook vendor contemporaneously with the advertising of the on-campus  
3 bookstore;

4 (B) May request a modification of the advertising of the  
5 on-campus bookstore or a private local textbook vendor if the advertising  
6 does not reflect the public interests of the state; and

7 (C) Is under no obligation to accept advertising from the  
8 on-campus bookstore or a private local textbook vendor.

9 (3) An on-campus bookstore and a private local textbook vendor  
10 shall be responsible for the costs related to the preparation and production  
11 of all advertising material.

12 (b) As used in this section:

13 (1) "Advertising" means not more than two (2) pages sized not  
14 greater than 8.5 inches by 11 inches of promotional material describing the  
15 availability and terms of sale of textbooks or course materials; and

16 (2) "State-supported institution of higher education " means ~~any~~  
17 a college, university, vocational school, trade school, or other  
18 postsecondary educational institution that receives ~~any~~ funding from the  
19 state.

20 (c) A violation of subsection (a) of this section:

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

23 (A) Chief fiscal officer of the institution;

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

25 (C) Legislative Council; and

26 (2) May be reported to the parties identified in subdivision  
27 (c)(1) of this section by ~~any~~ a business or consumer.