

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 2009-096

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

SENATE BILL 899

By: Senators Madison, Salmon, Elliott
By: Representatives Harrelson, Greenberg, M. Burris, J. Roebuck, Hyde, Rainey

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

For An Act To Be Entitled

AN ACT TO PROHIBIT THE USE OF CERTAIN CUSTOMIZED
TEXTBOOKS AND COURSE MATERIALS FOR UNDERGRADUATE
COURSES AT STATE-SUPPORTED INSTITUTIONS OF HIGHER
EDUCATION; TO MINIMIZE THE COST OF TEXTBOOKS AND
COURSE MATERIALS; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT THE USE OF CERTAIN
CUSTOMIZED TEXTBOOKS AND COURSE
MATERIALS FOR UNDERGRADUATE COURSES AT
STATE-SUPPORTED INSTITUTIONS OF HIGHER
EDUCATION AND TO MINIMIZE THE COST OF
TEXTBOOKS AND COURSE MATERIALS.

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

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

6-60-606. Customized textbooks and course materials prohibited.

(a)(1) As used in this section, "customized textbook or course
material" means an undergraduate textbook or course material that:

(A) Includes supplemental information, logos, design
features, or any other information specific to the college, university,



1 technical institute, geographic area, or state;

2 (B) Contains information that produces no substantive
3 change to the main text; and

4 (C) Is listed or treated by a state-supported institution
5 of higher education as the textbook or course material required for a class
6 to the exclusion of a textbook or course material containing the main or
7 substantially similar text whether or not the supplemental information or
8 alteration results in a new International Standard Book Number for the
9 textbook or course material required for the class.

10 (2) "Customized textbook or course material" does not include a
11 publication of selected segments or chapters of one (1) or more undergraduate
12 textbooks or course materials if the wholesale cost of the publication is no
13 more than fifty percent (50%) of the wholesale cost of the complete textbooks
14 or course materials when purchased new.

15 (b) Except as provided in subsection (c) of this section, the board of
16 trustees of a state-supported institution of higher education in this state
17 shall prohibit the selection or use for instruction of a customized textbook
18 or course material.

19 (c) A customized textbook or course material may be adopted after the
20 effective date of this section if:

21 (1) The adoption is approved by the department chair and
22 the dean or division head of the affected college; and

23 (2) The dean or division head of the affected college
24 forwards to the board of trustees and the chief academic officer of the
25 state-supported institution of higher education the following information:

26 (A) A list of each adoption;

27 (B) The names of the person or persons responsible
28 for each adoption; and

29 (C) A written statement explaining the reason for
30 adoption.