

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H2/12/97

A Bill

HOUSE BILL 1283

4
5 By: Representatives Fletcher and Choate

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 6-21-404 AND
10 6-21-405 TO GRANT LOCAL SCHOOL DISTRICTS GREATER
11 FLEXIBILITY IN PURCHASING INSTRUCTIONAL MATERIALS; AND FOR
12 OTHER PURPOSES."

Subtitle

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14 "TO GRANT LOCAL SCHOOL DISTRICTS GREATER
15 FLEXIBILITY IN PURCHASING INSTRUCTIONAL
16 MATERIALS."

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

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21 SECTION 1. Arkansas Code Annotated 6-21-404 is amended to read as
22 follows:

23 "6-21-404. Duties of State Board of Education Generally.

24 (a) The State Board of Education is authorized and empowered to:

25 (1) Make rules and regulations to implement this subchapter and
26 provide for a statewide textbook selection committee;

27 (2) Require reports from school districts on the use and
28 distribution of these items; and

29 (3) Do whatever else may be necessary for the general welfare of
30 the public school textbook and instructional materials system in order to
31 acquire such items at the lowest possible cost.

32 (b) The powers enumerated in this section are cumulative and not
33 restrictive.

34 (c) The state board shall have power to include any additional
35 regulations in the bid and contract form that the state board deems best for
36 the administration of this subchapter, and any regulations included in the bid

1 and contract forms and accepted by the publisher shall be construed as a part
2 of this subchapter.

3 (d) Publishers shall be required to comply with the additional
4 regulations as if they were included in this subchapter.

5 (e) *Publishers must sell their materials at the same price to all*
6 *schools and districts in the state and guarantee that price for the life of a*
7 *state adoption cycle."*

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9 SECTION 2. Arkansas Code Annotated § 6-21-405 is amended to read as
10 follows:

11 "6-21-405. Determination of recommended instructional materials.

12 (a) By March 15 of each year, the Department of Education shall prepare
13 and distribute to school districts a recommended list of books, series of
14 books, and other instructional materials for all subjects required by the
15 Arkansas Standards for Accreditation.

16 (b) School districts may elect to purchase instructional materials from
17 the state-recommended list, or districts may select other instructional
18 materials.

19 (c) If a school district selects other instructional material not
20 recommended by the state, the district shall certify to the department by June
21 of each year which instructional materials the district wishes to purchase by
22 state contract from the state-recommended list.

23 (d) If a school district selects other instructional materials not
24 recommended by the state, the district may purchase such materials outside any
25 state contract."

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27 SECTION 3. All provisions of this act of a general and permanent nature
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
29 Revision Commission shall incorporate the same in the Code.

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31 SECTION 4. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

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1 SECTION 5. All laws and parts of laws in conflict with this act are
2 hereby repealed.

3 /s/Rep. Fletcher et al
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