

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

SENATE BILL 25

By: Senator Madison  
By: Representatives Harrelson, Burris

## For An Act To Be Entitled

AN ACT TO REGULATE THE SELECTION AND USE OF  
STATE-SUPPORTED COLLEGE AND UNIVERSITY TEXTBOOKS  
AND COURSE MATERIALS; TO PROHIBIT CUSTOMIZED  
TEXTBOOKS AND COURSE MATERIALS TO MINIMIZE THE  
COST OF COLLEGE AND UNIVERSITY TEXTBOOKS AND  
COURSE MATERIALS; AND FOR OTHER PURPOSES.

## Subtitle

TO REGULATE THE SELECTION AND USE OF  
STATE-SUPPORTED COLLEGE AND UNIVERSITY  
TEXTBOOKS AND COURSE MATERIALS AND TO  
PROHIBIT CUSTOMIZED TEXTBOOKS AND COURSE  
MATERIALS.

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

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

Subchapter 6 – Textbooks and course materials

6-60-601. Customized textbooks and course materials prohibited.

(a)(1) As used in this section, "customized textbook or course material" means a textbook or course material that contains information altering or supplementing the main text:

(A) To include supplemental information, logos, design features, or any other information specific to the college, university, geographic area, or state;



1                   (B) That produces no substantive change to the main text;  
2   and

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

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

14                  (b) Except as provided in subsection (c) of this section, no state-  
15   supported college or university in this state shall select or use for  
16   instruction any customized textbook or course material.

17                  (c)(1) A customized textbook or course material may be adopted after  
18   the effective date of this act if:

19                   (A) The adoption is approved by the department chair and  
20   the dean of the affected college; and

21                   (B) The dean of the college forwards to the chancellor of  
22   the affected state-supported college or university the following information:

23                           (i) A list of each adoption;

24                           (ii) The names of the person or persons responsible  
25   for each adoption;

26                           (iii) A written statement explaining the reason for  
27   adoption; and

28                           (iv) An evaluation of the loss of income from sales  
29   nationally because of the diminished resale value of the customized textbook  
30   or course material.

31                  (2) The chancellor of the state-supported college or university  
32   shall send the information to the:

33                   (A) Department of Higher Education; and

34                   (B)(i) President Pro Tempore of the Senate and Speaker of  
35   the House of Representatives during a regular or special session of the  
36   General Assembly; or

1                                   (ii) Legislative Council when the General Assembly  
2 is not in session.

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