

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

SENATE BILL 27

5 By: Senator Madison  
6 By: Representatives Harrelson, Burris  
7  
8

## For An Act To Be Entitled

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10 AN ACT TO REGULATE STATE-SUPPORTED COLLEGE AND  
11 UNIVERSITY TEXTBOOK SALES; TO PROHIBIT  
12 INDUCEMENTS TO REQUIRE SPECIFIC TEXTBOOKS; AND  
13 FOR OTHER PURPOSES.  
14

## Subtitle

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16 AN ACT TO REGULATE STATE-SUPPORTED  
17 COLLEGE AND UNIVERSITY TEXTBOOK SALES  
18 AND TO PROHIBIT INDUCEMENTS TO REQUIRE  
19 SPECIFIC TEXTBOOKS.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code Title 6, Chapter 60, is amended to add an  
25 additional subchapter to read as follows:  
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### Subchapter 6 – Textbooks and course materials

#### 6-60-601. Inducements to require textbooks prohibited.

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29 (a) No state-supported college or university in this state or a  
30 department or employee of the college or university shall demand or receive  
31 any present or promised gift, payment, loan, subscription, advance, deposit  
32 of money, services, or any other thing of value as an inducement for  
33 requiring students to purchase a specific textbook for coursework or  
34 instruction.

35 (b) This section shall not prevent an employee of the college or  
36 university from receiving either:



1           (1) Sample copies, instructor's copies, or instructional  
2 material of a specific textbook required for coursework or instruction; or

3           (2) Royalties or other compensation from the sale or publication  
4 of a textbook that includes the employee's own writing or work if:

5               (A) Permitted by the contract between the employee and the  
6 college or university; or

7               (B) The royalties or other compensation did not result  
8 from the sale of textbooks, publications, or other educational materials  
9 required for courses at the employee's college or university.

10          (c) A violation of this section:

11               (1) Shall be reported within ten (10) business days by the  
12 state-supported college or university to the:

13                   (A) Department of Higher Education; and

14                   (B)(i) President Pro Tempore of the Senate and Speaker of  
15 the House of Representatives during a regular or special session of the  
16 General Assembly; or

17                       (ii) Legislative Council when the General Assembly  
18 is not in session; and

19               (2) May be reported to the parties identified in subdivision  
20 (c)(1) of this section by any business or consumer.

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22          SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
23 General Assembly of the State of Arkansas that college and university  
24 professors may be offered financial incentives to select certain textbooks  
25 and course materials rather than others, and may personally benefit from the  
26 selection of certain textbooks and course materials; that in order to provide  
27 the best state-supported higher education possible, the best available  
28 textbooks and course materials should be objectively selected without regard  
29 to any personal financial gain; and that the passage of this act is  
30 immediately necessary to help students receive the best available textbooks  
31 and course materials needed for a quality education. Therefore, an emergency  
32 is declared to exist and this act being immediately necessary for the  
33 preservation of the public peace, health, and safety shall become effective  
34 on:

35               (1) The date of its approval by the Governor;

36               (2) If the bill is neither approved nor vetoed by the Governor,

1 the expiration of the period of time during which the Governor may veto the  
2 bill; or

3 (3) If the bill is vetoed by the Governor and the veto is  
4 overridden, the date the last house overrides the veto.