

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.

State of Arkansas

As Engrossed: S1/24/07

86th General Assembly

A Bill

Regular Session, 2007

SENATE BILL 27

By: Senators Madison, *Salmon*

By: Representatives Harrelson, Burris

For An Act To Be Entitled

AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF
HIGHER EDUCATION TEXTBOOK SALES; TO PROHIBIT
INDUCEMENTS TO REQUIRE SPECIFIC TEXTBOOKS; AND
FOR OTHER PURPOSES.

Subtitle

AN ACT TO REGULATE STATE-SUPPORTED
INSTITUTION OF HIGHER EDUCATION TEXTBOOK
SALES AND TO PROHIBIT INDUCEMENTS TO
REQUIRE SPECIFIC TEXTBOOKS.

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. Inducements to require textbooks prohibited.

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

(b) This section shall not prevent an employee of the institution of higher education 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 permitted
5 by the contract between the employee and the institution of higher education.

6 (c) A violation of this section:

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

9 (A) Chief academic officer of the institution;

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

11 (C) Legislative Council; and

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

14
15 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
16 General Assembly of the State of Arkansas that institution of higher
17 education professors may be offered financial incentives to select certain
18 textbooks and course materials rather than others, and may personally benefit
19 from the selection of certain textbooks and course materials; that in order
20 to provide the best state-supported higher education possible, the best
21 available textbooks and course materials should be objectively selected
22 without regard to any personal financial gain; and that the passage of this
23 act is immediately necessary to help students receive the best available
24 textbooks and course materials needed for a quality education. Therefore, an
25 emergency is declared to exist and this act being immediately necessary for
26 the preservation of the public peace, health, and safety shall become
27 effective on:

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

29 (2) If the bill is neither approved nor vetoed by the Governor,
30 the expiration of the period of time during which the Governor may veto the
31 bill; or

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

34
35 /s/ Madison
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