

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.

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

As Engrossed: S1/24/07 S1/31/07

A Bill

SENATE BILL 27

5 By: Senators Madison, *Salmon*
6 By: Representatives Harrelson, Burris
7
8

For An Act To Be Entitled

9
10 AN ACT TO REGULATE STATE-SUPPORTED INSTITUTION OF
11 HIGHER EDUCATION TEXTBOOK SALES; TO PROHIBIT
12 INDUCEMENTS TO REQUIRE SPECIFIC TEXTBOOKS; AND
13 FOR OTHER PURPOSES.
14

Subtitle

15 AN ACT TO REGULATE STATE-SUPPORTED
16 INSTITUTION OF HIGHER EDUCATION TEXTBOOK
17 SALES AND TO PROHIBIT INDUCEMENTS TO
18 REQUIRE SPECIFIC TEXTBOOKS.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code Title 6, Chapter 60, is amended to add an
25 additional subchapter to read as follows:
26

27 Subchapter 6 – Textbooks and course materials

28 6-60-601. Inducements to require textbooks prohibited.

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

35 (b) This section shall not prevent an employee of the institution of
36 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.

5 (c) A violation of this section:

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

8 (A) Chief academic officer of the institution;

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

10 (C) Legislative Council; and

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

13
14 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
15 General Assembly of the State of Arkansas that institution of higher
16 education professors may be offered financial incentives to select certain
17 textbooks and course materials rather than others, and may personally benefit
18 from the selection of certain textbooks and course materials; that in order
19 to provide the best state-supported higher education possible, the best
20 available textbooks and course materials should be objectively selected
21 without regard to any personal financial gain; and that the passage of this
22 act is immediately necessary to help students receive the best available
23 textbooks and course materials needed for a quality education. Therefore, an
24 emergency is declared to exist and this act being immediately necessary for
25 the preservation of the public peace, health, and safety shall become
26 effective on:

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

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

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

33
34 /s/ Madison