

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

# A Bill

SENATE BILL 28

5 By: Senator Madison  
6 By: Representatives Harrelson, Burris  
7  
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## For An Act To Be Entitled

10 AN ACT TO REGULATE STATE-SUPPORTED COLLEGE AND  
11 UNIVERSITY TEXTBOOK SALES; TO REQUIRE COURSE  
12 SUPPLEMENTS BE SOLD TO COMPETING BOOKSTORES AT  
13 COST; AND FOR OTHER PURPOSES.  
14

## Subtitle

15 AN ACT TO REGULATE STATE-SUPPORTED  
16 COLLEGE AND UNIVERSITY TEXTBOOK SALES  
17 AND TO REQUIRE COURSE SUPPLEMENTS BE  
18 SOLD TO COMPETING BOOKSTORES AT COST.  
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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:

26 Subchapter 6 -- Textbooks and course materials

27 6-60-601. Textbooks and course materials -- Sale of course  
28 supplements.

29 (a) As used in this section:

30 (1) "Competing private bookstore" means a bookstore that:

31 (A) Is not affiliated with a college or university;

32 (B) Is located within the service area of the college or  
33 university; and

34 (C) Primarily offers textbooks and course materials for  
35 sale to students of the respective college or university; and

36 (2) "Course supplement" means an educational manual, pamphlet,



1 handout, or other course material that a state-supported college or  
 2 university prepares and requires for use in taking a particular class or  
 3 course of instruction.

4 (b) A state-supported college or university in this state shall offer  
 5 for sale at its cost of production to a competing private bookstore each  
 6 course supplement required for use in taking a particular class or course of  
 7 instruction no later than two (2) weeks prior to the start of classes.

8 (c) The state-supported college or university shall prepare no more  
 9 course supplements than one hundred ten percent (110%) of the course  
 10 enrollment.

11 (d)(1) A violation or suspected violation of this section shall be  
 12 reported to the Department of Higher Education.

13 (2) If the Department of Higher Education determines that a  
 14 violation of this section has occurred, it shall notify the state-supported  
 15 college or university of the violation.

16 (3) Upon receipt of notice from the Department of Higher  
 17 Education under subdivision (d)(2) of this section, the state-supported  
 18 college or university shall for the next one (1) year:

19 (A) Be prohibited from publishing its own course  
 20 supplement; and

21 (B) Employ a private copying firm to publish course  
 22 supplements under bidding procedures established by the Department of Higher  
 23 Education.

24  
 25 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
 26 General Assembly of the State of Arkansas that that textbooks and course  
 27 supplements for state-supported college and university students are often  
 28 purchased at higher prices than necessary or not at all due to a lack of  
 29 competition; that students sometimes do not purchase needed textbooks and  
 30 course supplements due to a lack of funds; and that the passage of this act  
 31 is immediately necessary to enable students to obtain the textbooks and  
 32 course supplements needed to help ensure a quality education at a more  
 33 affordable price. Therefore, an emergency is declared to exist and this act  
 34 being immediately necessary for the preservation of the public peace, health,  
 35 and safety shall become effective on:

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

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

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

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