

SECOND REGULAR SESSION

# HOUSE BILL NO. 2048

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ZIMMERMAN (Sponsor), SCHOEMEHL, ST. ONGE, MAY, SCAVUZZO, TILLEY, KINGERY, McGHEE, NOLTE, NANCE, THRELKELD, FUNDERBURK, DOUGHERTY, BRUNS, HOBBS, CUNNINGHAM (86), DUSENBERG, KUESSNER, PEARCE, RICHARD, SMITH (150), McCLANAHAN, SUTHERLAND, AVERY, WALLACE, TALBOY, HOLSMAN, OXFORD, ROBB, GRILL, WALSH, HARRIS (110), GRISAMORE, LeVOTA, NORR, SCHIEFFER, DARROUGH, HAYWOOD, YAEGER, LIESE AND DIXON (Co-sponsors).

Read 1st time February 7, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4627L.011

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### AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to college textbooks.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be known as section 173.955, to read as follows:

- 173.955. 1. The provisions of this section shall be known as the "Textbook Transparency Act". For purposes of this section, the following terms mean:**
- (1) "Approved institution of higher education", an educational institution located in Missouri which:**
    - (a) Is directly controlled or administered by a public agency or political subdivision;**
    - (b) Receives appropriations directly or indirectly from the general assembly for operating expenses;**
    - (c) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;**
    - (d) Meets the standards for accreditation as determined by either the North Central Association of Colleges and Secondary Schools, or if a public junior college created under**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 the provisions of sections 178.370 to 178.400, RSMo, meets the standards established by the  
14 coordinating board for higher education for such public junior colleges, or by other  
15 accrediting bodies recognized by the United States Office of Education or by utilizing  
16 accreditation standards applicable to the institution as established by the coordinating  
17 board for higher education;

18 (e) Does not discriminate in the hiring of administrators, faculty and staff or in the  
19 admission of students on the basis of race, color, religion, sex, or national origin and is  
20 otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive  
21 orders issued pursuant thereto;

22 (f) Permits faculty members to select textbooks without influence or pressure by  
23 any religious or sectarian source;

24 (2) "College textbook", a textbook or a set of textbooks used for a course on  
25 postsecondary education at an approved public institution of higher education;

26 (3) "Products", all versions of a college textbook or set of college textbooks, except  
27 custom textbooks or special editions of textbooks, available in the subject area for which  
28 a prospective purchaser is teaching a course, including supplemental material, both when  
29 sold together or separately from a college textbook;

30 (4) "Supplemental material", educational material published or produced to  
31 accompany a college textbook.

32 2. Each publisher of college textbooks shall make available with any written  
33 marketing materials to a prospective purchaser of its products who is a member of the  
34 faculty of an approved public institution of higher education:

35 (1) The price at which the publisher makes the products available to the store on  
36 the campus of such institution offering such products to students;

37 (2) The history of revisions for such products, if any; and

38 (3) Whether the college textbook or supplemental material is available in any other  
39 format, including paperback and unbound, and the price at which the publisher will make  
40 the college textbook or supplemental material in the other format available to the  
41 bookstore on campus of, or otherwise associated with, the approved public institution of  
42 higher education.

43 3. A publisher that sells a college textbook and any supplemental material  
44 accompanying such college textbook as a single-bundled item shall also sell the college  
45 textbook and each supplemental material as separate and unbundled items. The publisher  
46 shall make available the revision history of a college textbook for the bookstore to provide  
47 to students at the point of sale.

48           **4. Where existing technology and contracts make it feasible, an approved public**  
49 **institution of higher education shall develop a policy that permits students to use financial**  
50 **aid that has not been disbursed for tuition or fees to purchase required textbooks for**  
51 **courses taught at the institution at stores on the campus of the institution.**

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