ENGROSSED HOUSE
BILL NO. 1442

By: Staggs and Boyd (Betty) of the House

and

Robinson of the Senate

An Act relating to schools; amending 70 O.S. 1991, Section 16-106, as last amended by Section 1, Chapter 74, O.S.L. 1994 (70 O.S. Supp. 1996, Section 16-106), which relates to Braille book versions of textbooks; authorizing the Oklahoma School for the Blind to request certain computer diskettes; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 16-106, as last amended by Section 1, Chapter 74, O.S.L. 1994 (70 O.S. Supp. 1996, Section 16-106), is amended to read as follows:

Section 16-106. A. All contracts with publishers shall be signed by the chairperson and secretary of the State Textbook Committee on behalf of the state. Each contract shall stipulate the price at which each textbook will be sold to the State of Oklahoma, and that all copies supplied to the State of Oklahoma will be equal to or better than the official copy filed with the secretary of the Committee. The State Textbook Committee may approve the

substitution of a later edition in lieu of the textbook originally selected. The publisher shall stipulate in the contract that:

1. The price for which the textbook is to be furnished will be the lowest at which the same textbook will be sold or offered for sale for the purpose of securing a state or local selection or adoption elsewhere in the United States during the six (6) months prior to the date of the execution of the contract;

2. It will reduce the contract price of the textbook, if the price of the same textbook is reduced below such contract price elsewhere in the United States, and that it will file with the secretary of the Committee a sworn statement of such reduction made elsewhere;

3. If it prepares any supplementary or abridged or special editions of any of the textbooks, and shall sell such editions elsewhere at a lower price than that stipulated in the contract, it will file copies of any and all such editions, together with the prices thereof, with the secretary of the Committee;

4. It has not entered into any understanding, agreement or combination to control the prices or restrict competition in the sale of textbooks;

5. It will furnish the textbooks to the State of Oklahoma during the term of the contract in such amounts as may be required; and

6. It will furnish for a like period in lieu of the corresponding textbooks under contract any other books listed in any annual statement subsequently filed by it during the term of the contract to any school district at the lowest new prices contained in such statement, and that it will maintain said prices uniformly through the state.

B. Textbooks selected by the State Textbook Committee may be purchased by school districts at the prices for which contracts have been awarded, pending the effective dates of the contracts.

C. The chairperson and secretary of the State Textbook Committee, on the advice and consent of the attorney for the State Department of Education, may, with the consent of the holders of state textbook contracts, change any contract to conform with the provisions of Section 16-102 of this title.

D. As requested by a school district <u>or the Oklahoma School for the Blind</u>, all publishers who enter into contracts with the State Textbook Committee shall be required to furnish the Committee with computer diskettes for literary subjects in the American Standard Code for Information Interchange (ASCII) from which Braille versions of the textbook can be produced. The publisher shall furnish the Committee with computer diskettes in ASCII for nonliterary subjects when Braille specialty code translation software is available.

SECTION 2. This act shall become effective July 1, 1997.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 26th day of February, 1997.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1997.

President of the Senate