

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL 1434

By: Turner and Virgin of the  
House

6 and

7 Shortey of the Senate  
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10 COMMITTEE SUBSTITUTE

11 An Act relating to higher education; creating the  
12 Modern Student Personal Budgeting Act; providing  
13 short title; amending 70 O.S. 2011, Section 3241.1,  
14 which relates to the instructional materials policy;  
15 requiring instructional materials policies to include  
16 requirements for course syllabi; providing for  
17 noncodification; and declaring an emergency.

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

19 SECTION 1. NEW LAW A new section of law not to be  
20 codified in the Oklahoma Statutes reads as follows:

21 This act shall be known and may be cited as the "Modern Student  
22 Personal Budgeting Act".

23 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3241.1, is  
24 amended to read as follows:

Section 3241.1 A. It is the intent of the Legislature to:

1           1. Give students enrolled in institutions in The Oklahoma State  
2 System of Higher Education more choices for purchasing textbooks and  
3 instructional materials;

4           2. Encourage higher education faculty and staff to work closely  
5 with bookstores and publishers to implement the least costly option  
6 without sacrificing educational content; and

7           3. Provide maximum cost savings to students.

8           B. As used in this section:

9           1. "Instructional material" means any textbooks, workbooks, CD-  
10 ROMs, and other course-related material that are published with the  
11 intent that they be used for or in conjunction with classroom  
12 instruction and that are adopted for academic use by the faculty or  
13 the person or entity in charge of selecting learning materials at  
14 the institution within The Oklahoma State System of Higher  
15 Education;

16           2. "Bundled" means a textbook and other supplemental  
17 instructional materials that may be packaged together to be sold as  
18 course materials for one price but shall not include integrated  
19 textbooks that cannot be sold separately due to third-party  
20 contractual agreements, custom editions, or special editions;

21           3. "Integrated textbook" means a textbook that:

22           a. is combined with materials developed by a third party  
23                 and that, by third-party contractual agreement, may  
24

1 not be offered by publishers separately from the  
2 textbook with which the materials are combined, or  
3 b. is combined with other materials that are so  
4 interrelated with the intent of the textbook that the  
5 separation of the textbook from the other materials  
6 would render the textbook unusable for its intended  
7 purpose; and

8 4. "Custom edition" means instructional material that is  
9 compiled by a publisher at the direction of a faculty member or  
10 other person or adopting entity in charge of selecting course  
11 materials at an institution, and may include, alone or in  
12 combination, items such as selections from original instructor  
13 materials, previously copyrighted publisher materials, copyrighted  
14 third-party works, and elements unique to a specific institution,  
15 such as commemorative editions.

16 C. Each board of regents of an institution or group of  
17 institutions within The Oklahoma State System of Higher Education  
18 shall adopt an instructional material policy that requires:

19 1. Bookstores located on campus or bookstores which contract  
20 with the institution to provide bookstore services to students to:

21 a. provide students with the option of purchasing  
22 instructional materials that are unbundled when  
23 possible, disclose to faculty and staff the costs to  
24 students of purchasing instructional materials, and

1 disclose publicly how new editions vary from previous  
2 editions,

3 b. actively promote and publicize book buy-back programs,  
4 and

5 c. disclose retail costs for instructional materials on a  
6 per-course basis to faculty and staff and make this  
7 information publicly available; ~~and~~

8 2. Higher education faculty and staff members to consider the  
9 least costly practices in assigning instructional materials for a  
10 course, such as adopting the least expensive edition available when  
11 educational content is comparable as determined by the faculty and  
12 working closely with publishers and bookstores to create bundles and  
13 packages if they deliver cost savings to students; and

14 3. Higher education faculty and staff members when providing  
15 students a syllabus for a course to include in the syllabus the  
16 course material information which is required to be disclosed by a  
17 bookstore pursuant to subparagraph c of paragraph 1 of this  
18 subsection and any laboratory fees required for the course. If the  
19 syllabus is provided to students electronically, it shall include a  
20 hyperlink that will allow students to view the course information  
21 required pursuant to this paragraph. The electronic syllabus  
22 hyperlink shall also be made available to students at the time of  
23 electronic enrollment.

1 D. In developing an instructional material policy as required  
2 in subsection C of this section, each board of regents shall work  
3 with and seek input from bookstores, publishers, students and  
4 faculty representatives.

5 E. Each publisher of instructional material used by students  
6 enrolled at institutions in The Oklahoma State System of Higher  
7 Education shall make available to the faculty and staff of that  
8 institution ~~the~~:

9 1. ~~Price~~ The price at which the publisher will make the  
10 instructional materials available to bookstores, either those  
11 located on campus of the institution or those which have a contract  
12 with the institution to provide bookstore services to students; and

13 2. A description of the substantial content revisions made  
14 between the current edition of the textbook or supplemental material  
15 and the previous edition, if any.

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

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