

Bill No. CS for SB 254

Barcode 933558

CHAMBER ACTION

Senate

House

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The Committee on Finance and Tax (Haridopolos) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 1004.09, Florida Statutes, is created to read:

1004.09 Affordability of textbooks.--

(1) An employee of a community college or state university may not demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, as an inducement for requiring students to purchase a specific textbook for coursework or instruction. However, an employee may receive:

(a) Sample copies, instructor copies, or instructional materials. These materials may not be sold.

(b) Royalties or other compensation from sales of textbooks that include the instructor's own writing or work.

(2) No later than 45 days before the first day of

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1 classes, or at the time a course instructor or the academic
2 department offering a course identifies a textbook for order
3 and subsequent student purchase, whichever is earlier,
4 community colleges and state universities shall notify
5 students of the textbooks assigned for each course offered at
6 the institution by listing each assigned textbook on that
7 institution's website. The notification shall include the
8 International Standard Book Number (ISBN) for each textbook
9 along with any other relevant information.

10 (3) On or before March 1, 2008, the State Board of
11 Education and the Board of Governors each shall adopt
12 policies, procedures, and guidelines for implementation by
13 community colleges and state universities, respectively, to
14 minimize the cost of textbooks for students attending such
15 institutions while maintaining the quality of education and
16 academic freedom of each student and institution. The
17 policies, procedures, and guidelines shall provide for the
18 following:

19 (a) That textbook adoptions be made with sufficient
20 lead time to bookstores to allow information of the
21 availability of requested materials and, where possible,
22 ensure maximum availability of used books.

23 (b) That, in the textbook-adoption process, the intent
24 to use all items ordered, particularly each individual item
25 sold as part of a bundled package, is confirmed by the course
26 instructor or the academic department offering the course
27 before the adoption is finalized.

28 (c) That a course instructor or the academic
29 department offering the course confirms, before a textbook is
30 adopted, that the selection of a new edition of a textbook is
31 based on a determination by the academic department offering

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1 the course that the new edition differs significantly and
2 substantively from earlier versions.

3 (d) That required textbooks be made available to
4 students unable to afford the cost.

5 Section 2. (1) The Office of Program Policy Analysis
6 and Government Accountability shall conduct a study of the
7 rising costs of college textbooks and textbook-purchasing
8 practices of public postsecondary educational institutions in
9 the state. When conducting the study, the Office of Program
10 Planning and Policy Analysis shall:

11 (a) Conduct a sample survey of students in community
12 colleges and state universities regarding the costs of
13 textbooks each semester.

14 (b) Review and analyze the purchasing policies
15 regarding textbooks by community colleges and state
16 universities to develop the best possible practices for future
17 purchases of textbooks.

18 (c) Review policies and practices being considered
19 previously implemented by institutions of higher education in
20 this state and other states to reduce the financial burden of
21 the cost of textbooks to students and their families,
22 including, but not limited to, use of used textbooks, rental
23 textbook systems, digital textbook subscriptions,
24 textbook-financing programs, faculty education, and standard
25 procedures for institutions and college bookstores.

26 (2) A final report, including recommendations, shall
27 be submitted to the President of the Senate and the Speaker of
28 the House of Representatives on or before December 1, 2007.

29 Section 3. This act shall take effect July 1, 2007.
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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 Delete everything before the enacting clause

4

5 and insert:

6 A bill to be entitled

7 An act relating to the affordability of

8 textbooks; creating s. 1004.09, F.S.;

9 prohibiting certain actions by employees of a
10 state university or community college relating

11 to the purchase of required textbooks by

12 students; requiring that community colleges and

13 state universities notify students of the

14 textbooks required for each course by listing

15 such textbooks on the community college or

16 university website; requiring the adoption of

17 certain policies and practices designed to

18 minimize the cost of textbooks; requiring that

19 the Office of Program Policy Analysis and

20 Government Accountability conduct a study of

21 the costs of college textbooks and the

22 practices of public postsecondary institutions

23 regarding the purchase of textbooks; requiring

24 the office to conduct a survey of students

25 enrolled in such institutions; requiring that

26 the office review certain information when

27 conducting the study; requiring the office to

28 submit a final report on the results of the

29 study, including recommendations, to the

30 President of the Senate and the Speaker of the

31 House of Representatives on or before December

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1 1, 2007; providing an effective date.

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3 WHEREAS, textbooks are an essential part of a
4 comprehensive and high-quality postsecondary education, and

5 WHEREAS, the availability and affordability of
6 textbooks directly affect the quality and affordability of
7 postsecondary education, and

8 WHEREAS, the United States Government Accountability
9 Office recently reported that in the last two decades, college
10 textbook prices have increased at twice the rate of inflation,
11 and

12 WHEREAS, the United States Government Accountability
13 Office reported that, while many factors affect textbook
14 pricing, the increasing costs associated with developing
15 instructional supplements that accompany textbooks best
16 explain price increases in recent years, and

17 WHEREAS, the United States Government Accountability
18 Office reported that prices of college textbooks in the United
19 States may exceed prices in other countries because prices
20 reflect market conditions found in each country, such as the
21 willingness and ability of students to purchase the textbooks,
22 and

23 WHEREAS, the cost of textbooks is one component
24 considered in making federal and state-funded financial aid
25 awards, and as such, escalating textbook prices can affect
26 federal and state spending, and

27 WHEREAS, state universities and community colleges
28 should consider the least costly practices in assigning
29 textbooks when such practices are educationally sound, NOW,
30 THEREFORE,

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