

Regular Session, 2011

SENATE BILL NO. 165

BY SENATORS WALSWORTH, DORSEY, LAFLEUR, LONG AND NEVERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COMMUNITY TECH SYSTEM. Provides relative to the availability and use of electronic textbooks and other instructional material in LCTCS institutions. (gov sig)

1 AN ACT

2 To enact R.S. 17:3351.16, relative to community and technical colleges; to provide relative
3 to increasing the availability and use of electronic textbooks and other instructional
4 materials; to provide relative to the purchase of electronic textbooks and other
5 instructional materials and content, including student charges therefor; to provide for
6 rules; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3351.16 is hereby enacted to read as follows:

9 **§3351.16. Louisiana Community and Technical College System; electronic**
10 **textbooks and instructional materials; student charges**

11 **A. In an effort to reduce the cost of course materials to students and**
12 **provide a convenient means for students to purchase course materials in a single**
13 **transaction in lieu of purchasing content separately, the Board of Supervisors**
14 **of Community and Technical Colleges shall make every effort to ensure that**
15 **electronic versions are available for all prescribed textbooks and other**
16 **instructional materials and shall develop a program for the encouragement and**
17 **sale of electronic textbooks and instructional materials.**

1 **B. Beginning in the Fall 2011 semester and thereafter, the board shall:**

2 **(1) Direct institutions under its management to clearly communicate the**
3 **board's desire to increase the availability and accessibility of electronic**
4 **textbooks and other instructional materials in community and technical colleges**
5 **when inviting publishers to participate in the textbook selection process and**
6 **encourage all publishers to provide electronic versions of the products they**
7 **offer in addition to the printed version.**

8 **(2) Adopt such rules and regulations as are necessary for the sale and**
9 **distribution of electronic textbook content, or fractions of electronic textbook**
10 **content, instructional material and assessments.**

11 **C.(1) The board is authorized to charge a student who chooses to**
12 **purchase electronic textbooks and other instructional materials an amount not**
13 **greater than the actual cost of such electronic textbooks and instructional**
14 **materials.**

15 **(2) The board may not charge the student for any administrative,**
16 **handling, or other related costs associated with the provision of electronic**
17 **textbooks and other instructional materials.**

18 **(3) Notwithstanding any provision of law to the contrary, any monies**
19 **derived from such charges shall remain with the Louisiana Community and**
20 **Technical College System and shall not be deposited into the state general fund.**
21 **Such monies shall be used exclusively to lower the costs of electronic textbooks**
22 **and other instructional materials for students.**

23 Section 2. This Act shall become effective upon signature by the governor or, if not
24 signed by the governor, upon expiration of the time for bills to become law without signature
25 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
26 vetoed by the governor and subsequently approved by the legislature, this Act shall become
27 effective on the day following such approval.

The original instrument was prepared by McHenry Lee. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGEST

Walsworth (SB 165)

Proposed law provides for the Board of Supervisors of Community and Technical Colleges to make every effort to ensure that electronic versions are available for all prescribed textbooks and other instructional materials and to develop a program for the encouragement and sale of such electronic course materials, in an effort to reduce the costs to students and provide a convenient means for students to purchase such course materials in a single transaction instead of purchasing content separately.

Proposed law requires the board, beginning in the Fall 2011 semester and thereafter, to do the following:

- (1) Direct institutions under its management to clearly communicate the board's desire to increase the availability and accessibility of electronic textbooks and other instructional materials in community and technical colleges when inviting publishers to participate in the textbook selection process and encourage all publishers to provide electronic versions of the products they offer in addition to the printed version.
- (2) Adopt such rules and regulations as are necessary for the sale and distribution of electronic textbook content, or fractions of electronic textbook content, instructional material and assessments.

Proposed law authorizes the board to charge a student opting to purchase electronic textbooks and other instructional materials an amount not greater than the actual cost.

Proposed law provides that the board may not charge the student for any administrative, handling or other costs associated with providing electronic textbooks and other instructional materials.

Proposed law provides, notwithstanding any law to the contrary, monies derived from such charges shall remain with LCTCS and not be deposited in the state general fund.

Proposed law further provides that such monies are to be used to lower the cost of electronic textbooks and instructional materials to students.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:3351.16)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill.

1. Makes technical corrections.

Senate Floor Amendments to engrossed bill.

1. Changes from a fee to a charge of actual cost for electronics textbooks and instructional materials.