

SENATE BILL NO. 165

BY SENATORS WALSWORTH, DORSEY, LAFLEUR, LONG AND NEVERS AND REPRESENTATIVES BURFORD, HENRY BURNS, TIM BURNS, CHANEY, GISCLAIR, HOFFMANN, LANDRY, LIGI, LORUSSO, MONICA, RICHARDSON, SEABAUGH AND SMILEY

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

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

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

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

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

**(1) Direct institutions under its management to clearly communicate the board's desire to increase the availability and accessibility of electronic and**

1           digital textbooks and other digital instructional materials in community and  
2           technical colleges when inviting publishers to participate in the textbook  
3           selection process and encourage all publishers to make available electronic and  
4           digital versions of the products they offer in addition to the printed version.

5           (2) Adopt such rules and regulations as are necessary for the sale and  
6           distribution of electronic and digital textbook content, or fractions of electronic  
7           and digital textbook content, instructional materials and assessments.

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

12          (2) The board may not charge the student for any administrative,  
13          handling, or other related costs associated with the provision of electronic and  
14          digital textbooks and other digital instructional materials.

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

20          (4) Nothing in this Section shall be construed to affect the terms of a  
21          contract entered into by the board prior to the effective date of the Act which  
22          originated as Senate Bill No. 165 of the 2011 Regular Session of the Legislature  
23          of Louisiana.

24          (5) Nothing in this Section shall be construed to supersede the  
25          institutional autonomy or academic freedom of instructors, faculty members,  
26          or academic departments involved in the selection of college textbooks and  
27          other instructional materials.

28          Section 2. This Act shall become effective upon signature by the governor or, if not  
29          signed by the governor, upon expiration of the time for bills to become law without signature  
30          by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_