

**SB0183/254365/1**

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 183  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “affirmations” and substitute “acknowledgments”; in line 10, after “revisions,” insert “and”; strike beginning with “, and” in line 10 down through “price” in line 11; in line 17, after “notifications” insert “and certain conditions”; in line 19, after “time” insert “subject to a certain extension under certain circumstances”; and strike beginning with “requiring” in line 21 down through “circumstances;” in line 23.

On page 2, in line 5, after “report” insert “to the Maryland Higher Education Commission”; in line 6, strike the comma and substitute “and”; and in line 9, after “date” insert “and report to the Governor and the General Assembly on or before a certain date”.

AMENDMENT NO. 2

On page 3, in line 7, strike “OR CUSTOM” and substitute “, CUSTOM, OR INTEGRATED”; after line 30, insert:

**“(6) “INTEGRATED TEXTBOOK” MEANS A COLLEGE TEXTBOOK THAT IS COMBINED WITH:**

**(I) MATERIALS DEVELOPED BY A THIRD PARTY AND THAT, BY THIRD-PARTY CONTRACTUAL AGREEMENT, MAY NOT BE OFFERED BY PUBLISHERS SEPARATELY FROM THE COLLEGE TEXTBOOK WITH WHICH THE MATERIALS ARE COMBINED; OR**

**(II) OTHER MATERIALS THAT ARE SO INTERRELATED WITH THE CONTENT OF THE COLLEGE TEXTBOOK THAT THE SEPARATION OF THE**

(Over)

**COLLEGE TEXTBOOK FROM THE OTHER MATERIALS WOULD RENDER THE COLLEGE TEXTBOOK UNUSABLE FOR ITS INTENDED PURPOSE.**;

and in line 31, strike “**(6)**” and substitute “**(7)**”.

On page 4, in lines 1, 6, 9, and 15, strike “**(7)**”, “**(8)**”, “**(9)**”, and “**(10)**”, respectively, and substitute “**(8)**”, “**(9)**”, “**(10)**”, and “**(11)**”, respectively; in line 10, after “**TEXTBOOK**” insert “**THAT IS NOT BEING USED AS A COMPONENT OF AN INTEGRATED TEXTBOOK**”; strike beginning with “**VARIANCES**” in line 25 down through “**MATERIALS**” in line 27 and substitute “**THE EXISTENCE OF VARIANCES IN PRICE OF BUNDLED AND UNBUNDLED COURSE MATERIALS**”; in line 32, strike “**AND**”; and after line 32, insert:

**“(IV) WHICH TEXTBOOKS ARE INTEGRATED TEXTBOOKS AND ARE THEREFORE NOT SUBJECT TO SUBSECTION (F)(3) OF THIS SECTION, AS REPORTED BY THE PUBLISHER UNDER SUBSECTION (E) OF THIS SECTION; AND”.**

On page 5, in line 1, strike “**(IV)**” and substitute “**(V)**”; in line 30, strike “**IDENTIFYING**” and substitute “**SELECTING**”; and in line 34, after “**SHALL**” insert “**ACKNOWLEDGE**”.

On page 6, in line 1, after “**(I)**” insert “**1.**”; in lines 2 and 5, in each instance, strike “**ACKNOWLEDGE**”; in lines 4, 6, 9, 12, and 15, strike “**(II)**”, “**1.**”, “**2.**”, “**3.**”, and “**4.**”, respectively, and substitute “**2.**”, “**A.**”, “**B.**”, “**C.**”, and “**D.**”, respectively; in line 5, strike the comma; in line 8, after “**TEXTBOOK**” insert “**AS REPORTED BY THE PUBLISHER UNDER SUBSECTION (E) OF THIS SECTION**”; in line 10, strike “**JUSTIFIED**” and substitute “**APPROPRIATE**”; and after line 17, insert:

**“(II) THAT AN INTEGRATED TEXTBOOK IS NOT SUBJECT TO SUBSECTION (F)(3) OF THIS SECTION;**

**(III) THAT SUPPLEMENTAL MATERIAL INCLUDED IN A BUNDLE IS INTENDED FOR USE IN THE COURSE**.

On page 7, in line 2, strike “EXPRESSED AS AN ITEMIZED LIST”; strike beginning with “VARIANCES” in line 6 down through “ITEMS” in line 7 and substitute “**A LIST OF TEXTBOOKS THAT ARE CLASSIFIED AS INTEGRATED TEXTBOOKS**”; in line 30, strike “**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH**” and substitute “**WITH THE PERMISSION OF A FACULTY MEMBER**”; and strike in their entirety lines 35 and 36.

On page 8, strike in their entirety lines 1 through 3, inclusive; in line 4, after “(1)” insert “**(I)**”; in the same line, strike “PARAGRAPH (4) OF THIS SUBSECTION” and substitute “**SUBPARAGRAPH (II) OF THIS PARAGRAPH**”; in line 6, strike “(2)” and substitute “**(3)**”; in line 7, after “BOOKSTORE” insert “**BY THE EARLIER OF:**

**1. WITHIN 1 WEEK OF A FACULTY MEMBER’S SELECTION OF A COLLEGE TEXTBOOK OR SUPPLEMENTAL MATERIAL AND TRANSMISSION TO A CAMPUS BOOKSTORE; OR**

**2. WHEN THE SELECTION BY A FACULTY MEMBER OF A COLLEGE TEXTBOOK OR SUPPLEMENTAL MATERIAL IS FINALIZED.**

**(II) A BOOKSTORE THAT OBTAINS INFORMATION UNDER SUBPARAGRAPH (I)1 OF THIS PARAGRAPH MAY NOT MAKE THE INFORMATION AVAILABLE TO STUDENTS OR MEMBERS OF THE PUBLIC UNTIL THE INFORMATION IS MADE AVAILABLE TO THE BOOKSTORE IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.**”;

strike beginning with “AS” in line 7 down through “COURSE.” in line 19; in line 20, strike “(3)” and substitute “(2)”; in line 21, strike “(2)” and substitute “(3)”; in line 22, after “TO” insert “BOOKSTORES,”; in the same line, after “STUDENTS” insert a comma; in line 24, strike “PARAGRAPH (4)” and substitute “PARAGRAPHS (4) AND (5)”; in line 25, strike “1 WEEK” and substitute “3 WEEKS”; strike beginning with “PROVISION” in line 25 down through “SUBSECTION” in line 26 and substitute “SELECTION BY A FACULTY MEMBER OF A COLLEGE TEXTBOOK OR SUPPLEMENTAL MATERIAL”; and strike beginning with “WHEN” in line 27 down through “MATERIAL” in line 28 and substitute “WHEN THE SELECTION BY A FACULTY MEMBER OF A COLLEGE TEXTBOOK OR SUPPLEMENTAL MATERIAL IS FINALIZED”.

On page 9, after line 4, insert:

**“(3) THE INFORMATION MADE AVAILABLE UNDER PARAGRAPHS (1) AND (2) OF THIS SUBSECTION SHALL INCLUDE THE:**

**(I) TITLE;**

**(II) AUTHOR;**

**(III) PUBLISHER;**

**(IV) EDITION;**

**(V) COPYRIGHT DATE AND PUBLICATION DATE, WHEN AVAILABLE;**

**(VI) ISBN; AND**

**(VII) ANTICIPATED ENROLLMENT FOR THE COURSE.**;

strike beginning with “**THAT**” in line 6 down through “**AND**” in line 7 and substitute a comma; in line 7, after “**STUDENTS**” insert a comma; in line 8, strike “**(3)**” and substitute “**(2)**”; in line 8, after “**IF**” insert “**THE SELECTION OF**”; in line 12, after “**INSTITUTION**” insert “**, CAMPUS BOOKSTORE, OR OTHER BOOKSTORE THAT OFFERS A COLLEGE TEXTBOOK OR SUPPLEMENTAL MATERIAL FOR SALE PRIOR TO THE SELECTION BEING FINALIZED**”; in line 12, strike “**A**” and substitute “**:**”

**1. A**;

in line 15, strike the period and substitute “**; AND**”

**2. THE RETURN POLICY OF THE CAMPUS BOOKSTORE OR OTHER BOOKSTORE, AS APPROPRIATE.**

**(5) (I) NOTWITHSTANDING PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, UPON REQUEST TO AN INSTITUTION, AN EXTENSION OF TIME MAY BE GRANTED TO A FACULTY MEMBER FROM THE REQUIREMENT TO POST THE SELECTION OF A COLLEGE TEXTBOOK OR SUPPLEMENTAL MATERIAL PRIOR TO THE SELECTION BEING FINALIZED.**

**(II) THE EXTENSION GRANTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE APPROVED BY THE FACULTY DEPARTMENT CHAIR AND THE DEAN OR DIVISION HEAD OF THE INSTITUTION.**

**(III) THE EXTENSION SHALL INCLUDE A WRITTEN STATEMENT OF EXPLANATION FOR THE EXTENSION.**

(IV) AN INSTITUTION SHALL POST THE WRITTEN STATEMENT ON ITS WEBSITE INSTEAD OF THE SELECTION, AS APPROPRIATE.”;

strike in their entirety lines 20 through 29, inclusive; and in line 30, strike “(J)” and substitute “(I)”.

On page 10, in line 13, strike “, on” and substitute “:

(a) On”;

in line 14, strike “2010” and substitute “2011”; strike beginning with “Governor” in line 15 down through “Assembly,” in line 16 and substitute “Maryland Higher Education Commission”; in the same line, strike “students,” and substitute “students and”; strike beginning with “, and” in line 18 down through “prices” in line 20; strike beginning with “SECTION” in line 21 down through “(a)” in line 22 and substitute “(b)”; and in line 22, strike “Maryland Higher Education”.

On page 11, in line 4, strike “(b)” and substitute “(c)”; in line 4, strike “Maryland Higher Education”; in line 5, after “shall” insert “:

(1) compile the reports required under paragraph (a) of this section;  
and

(2)”;  
(2)”;

in the same line, after “submit” insert “to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly, the compilation,”; in line 6, strike “(a)” and substitute “(b)”; in the same line, after “section” insert a comma; in the same line, strike “make”; in line 7, strike “and” and substitute a comma; strike beginning with “including” in line 7 down through “Assembly,” in line 9 and substitute “, and statewide policy initiatives that will further ameliorate the high cost of”

undergraduate and graduate education as impacted by textbook prices"; and in line 9, strike "subsection (a) of"; in line 10, strike "4." and substitute "3.".

On page 12, in line 16, strike "5." and substitute "4.".