

SENATE BILL 81

F2
SB 166/07 – EHE

8lr1063

By: **Senators Klausmeier, Colburn, Greenip, and Jacobs**

Introduced and read first time: January 15, 2008

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Institutions of Higher Education – Textbook Fairness Act**

3 FOR the purpose of requiring the governing board of a public institution of higher
4 education to notify students of the textbooks assigned for certain courses on the
5 website of the institution at a certain time; requiring that the notification
6 contain certain information; prohibiting an employee of a public institution of
7 higher education from receiving certain benefits in exchange for requiring
8 students to purchase certain textbooks; providing for the scope of this Act; and
9 generally relating to textbooks assigned for courses at public institutions of
10 higher education.

11 BY adding to

12 Article – Education

13 Section 15–111

14 Annotated Code of Maryland

15 (2006 Replacement Volume and 2007 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Education**

19 **15–111.**

20 **(A) (1) THE GOVERNING BOARD OF A PUBLIC INSTITUTION OF**
21 **HIGHER EDUCATION SHALL NOTIFY STUDENTS OF THE TEXTBOOKS ASSIGNED**
22 **FOR EACH COURSE OFFERED AT THE INSTITUTION BY LISTING EACH ASSIGNED**
23 **TEXTBOOK ON THE WEBSITE OF THE INSTITUTION WHEN THE COURSE**
24 **INSTRUCTOR OR ACADEMIC DEPARTMENT OFFERING THE COURSE IDENTIFIES**
25 **THE TEXTBOOK FOR ORDER AND SUBSEQUENT STUDENT PURCHASE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) THE NOTIFICATION SHALL INCLUDE THE INTERNATIONAL**
2 **STANDARD BOOK NUMBER (ISBN) FOR EACH TEXTBOOK.**

3 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
4 **SUBSECTION, AN EMPLOYEE OF A PUBLIC INSTITUTION OF HIGHER EDUCATION**
5 **MAY NOT DEMAND OR RECEIVE ANY PAYMENT, LOAN, SUBSCRIPTION, ADVANCE,**
6 **SERVICE, OR ANY OTHER BENEFIT IN EXCHANGE FOR REQUIRING STUDENTS TO**
7 **PURCHASE A SPECIFIC TEXTBOOK FOR A COURSE.**

8 **(2) AN EMPLOYEE OF A PUBLIC INSTITUTION OF HIGHER**
9 **EDUCATION MAY RECEIVE:**

10 **(I) A COPY OF A TEXTBOOK THAT MAY NOT BE SOLD,**
11 **INCLUDING A SAMPLE COPY, INSTRUCTOR'S COPY, AND INSTRUCTIONAL**
12 **MATERIAL; AND**

13 **(II) ROYALTIES OR OTHER COMPENSATION FROM THE SALE**
14 **OF A TEXTBOOK THAT INCLUDES THE WRITING OR WORK OF THE EMPLOYEE.**

15 **(C) THIS SECTION DOES NOT APPLY TO THE OVERSEAS PROGRAMS OF**
16 **THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2008.