

## HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 365

By COMMITTEE ON EDUCATION

May 29

- 1 On page 1 of the printed A-engrossed bill, delete lines 3 through 24.  
2 On page 2, delete lines 1 through 14.  
3 Delete lines 16 through 45 and delete page 3 and insert:  
4 **“SECTION 1. As used in sections 1 to 3 of this 2007 Act:**  
5 **“(1) ‘Adopter’ means any faculty member or academic department or other adopting en-**  
6 **tity at a higher education institution responsible for considering and choosing course mate-**  
7 **rials to be utilized in connection with accredited courses taught at the institution.**  
8 **“(2) ‘Higher education institution’ means:**  
9 **“(a) A community college, as defined in ORS 341.005;**  
10 **“(b) A state institution of higher education listed in ORS 352.002;**  
11 **“(c) The Oregon Health and Science University;**  
12 **“(d) A private institution of higher education located in Oregon; and**  
13 **“(e) A bookstore that serves as the primary bookstore for an entity listed in paragraphs**  
14 **(a) to (d) of this subsection.**  
15 **“(3) ‘Special edition’ means a bound book that does not constitute a traditional textbook**  
16 **and that may or may not be used for instructional purposes.**  
17 **“(4)(a) ‘Textbook bundle’ means a textbook packaged together with other supplemental**  
18 **course materials, including but not limited to workbooks, study guides, online technologies,**  
19 **online course resources, CD-ROMs or other books, to be sold as course material for one**  
20 **price.**  
21 **“(b) ‘Textbook bundle’ does not include a textbook that is unusable without the supple-**  
22 **mental course materials, materials that cannot be sold separately due to third-party con-**  
23 **tractual agreements, custom editions or special editions.**  
24 **“SECTION 2. (1) A publisher of college textbooks must provide to prospective adopters**  
25 **of a particular textbook or set of textbooks in a subject area in which an instructor is**  
26 **teaching a course:**  
27 **“(a) A complete list of all the different versions of the particular textbook or set of**  
28 **textbooks in that particular subject area and level in which an instructor is teaching a**  
29 **course, that are in the relevant language, including supplemental items, whether sold to-**  
30 **gether or separately;**  
31 **“(b) The year in which each prior edition of the textbook listed in paragraph (a) of this**  
32 **subsection was published, if applicable; and**  
33 **“(c) The price at which the publisher would make the textbook or set of textbooks listed**  
34 **in paragraph (a) of this subsection available to adopters and higher education institutions**  
35 **that would resell the components to students.**

1           “(2) The information described in subsection (1) of this section may be provided in person,  
2 by telephone or electronically. The information must also be accessible to any member of  
3 the public and made available on the publisher’s website, by telephone or by postal or elec-  
4 tronic mail.

5           “SECTION 3. (1) A publisher of college textbooks that sells textbook bundles shall offer  
6 to prospective adopters and higher education institutions the option of ordering each com-  
7 ponent of the textbook bundle separately.

8           “(2) Any publisher of college textbooks that sells textbook bundles shall disclose to pro-  
9 spective adopters the availability of the textbook purchased separately from a textbook  
10 bundle and the price at which the publisher would make the separately purchased textbook  
11 available to the higher education institution.

12           “SECTION 4. Sections 2 and 3 of this 2007 Act apply to textbooks and textbook bundles  
13 offered for sale on or after the effective date of this 2007 Act.”.

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