

## SENATE MINORITY REPORT AMENDMENTS TO SENATE BILL 365

May 8

President Courtney:

A minority of your Committee on Education and General Government, to whom was referred Senate Bill 365, having had the same under consideration, respectfully reports it back with the recommendation that it do pass with the following amendments:

- 1       On page 1 of the printed bill, delete lines 3 through 30.
- 2       On page 2, delete lines 1 through 8.
- 3       Delete lines 10 through 36 and insert:
- 4       **“SECTION 1. As used in this sections 1 to 4 of this 2007 Act:**
- 5       **“(1) ‘Adopter of textbooks’ means any faculty member, academic department or other**
- 6 **adopting entity at a higher education institution responsible for considering and choosing**
- 7 **course materials to be utilized in connection with the accredited courses taught at the in-**
- 8 **stitution.**
- 9       **“(2) ‘Higher education institution’ means:**
- 10       **“(a) A community college as defined in ORS 341.005;**
- 11       **“(b) A state institution of higher education listed in ORS 352.002;**
- 12       **“(c) The Oregon Health and Science University; and**
- 13       **“(d) A private institution of higher education located in Oregon.**
- 14       **“(3)(a) ‘Textbook bundle’ means a textbook packaged together with other supplemental**
- 15 **course materials, including but not limited to workbooks, study guides, online technologies,**
- 16 **online course resources, CD-ROMs or other books, to be sold as course material for one**
- 17 **price.**
- 18       **“(b) ‘Textbook bundle’ does not include course materials that are designed solely for sale**
- 19 **as an integrated combination of two or more units, materials that cannot be sold separately**
- 20 **due to third-party contractual agreements, custom editions or special editions.**
- 21       **“SECTION 2. (1) Any publisher of college textbooks who sells textbook bundles to a**
- 22 **higher education institution shall offer to the institution the option of buying each compo-**
- 23 **nent of the textbook bundle separately.**
- 24       **“(2) Any publisher of college textbooks who sells textbook bundles to a higher education**
- 25 **institution shall, upon request, make available to prospective adopters of textbooks or pur-**
- 26 **chasing entities of higher education institutions the price at which the publisher would make**
- 27 **the components of the textbook bundle available to college bookstores that would offer to**
- 28 **resell the components to students.**
- 29       **“SECTION 3. (1) Except as provided in subsection (2) of this section, an employee of a**
- 30 **higher education institution may not demand or receive any payment, loan, advance, deposit**
- 31 **of money or promise thereof in return for adopting specific course materials required for**
- 32 **coursework or instruction.**

