

Enrolled
House Bill 2257

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Department of Education)

CHAPTER

AN ACT

Relating to fees for instructional materials; amending ORS 337.065; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 337.065 is amended to read:

337.065. (1) The Department of Education shall collect from each publisher or other supplier who submits a proposal under ORS 337.060 a fee equal to the retail price, or \$50, whichever is the greater, for each textbook title or item of instructional material proposed by the publisher or supplier for review and adoption by the [board] **State Board of Education**. Fees are payable prior to consideration of the proposal.

(2) The moneys received under subsection (1) of this section shall be paid into the State Treasury and placed to the credit of the Department of Education. The moneys are continuously appropriated to meet expenses incurred under ORS 337.030 to 337.260.

(3) Pursuant to rules adopted by the State Board of Education, the Department of Education may waive the fee described in subsection (1) of this section for a textbook title or item of instructional material if the title or item is:

(a) A teaching and learning resource that resides in the public domain or that has been released under an intellectual property license that permits the free use and repurposing by others of the title or item; and

(b) Submitted in the format that resides in the public domain or that has been released under an intellectual property license as described in paragraph (a) of this subsection.

SECTION 2. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by House February 13, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate March 13, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State