

**B-Engrossed**  
**Senate Bill 365**

Ordered by the House May 29  
Including Senate Amendments dated May 8 and House Amendments dated  
May 29

Sponsored by Senator MORRISETTE; Senator WALKER (at the request of OSPIRG, Oregon Student Association)  
(Presession filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires college textbook publishers to provide prospective adopters of particular textbook or set of textbooks with specified information regarding products. Requires publisher that sells textbook bundles to offer **prospective adopters** and higher education institutions option of ordering each component of bundle separately and disclose availability and pricing of separately purchased textbook.

**A BILL FOR AN ACT**

1  
2 Relating to textbooks.

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

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 of**  
25 **a particular textbook or set of textbooks in a subject area in which an instructor is teaching**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 a course:

2 (a) A complete list of all the different versions of the particular textbook or set of text-  
3 books in that particular subject area and level in which an instructor is teaching a course,  
4 that are in the relevant language, including supplemental items, whether sold together or  
5 separately;

6 (b) The year in which each prior edition of the textbook listed in paragraph (a) of this  
7 subsection was published, if applicable; and

8 (c) The price at which the publisher would make the textbook or set of textbooks listed  
9 in paragraph (a) of this subsection available to adopters and higher education institutions  
10 that would resell the components to students.

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

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

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

22 **SECTION 4.** Sections 2 and 3 of this 2007 Act apply to textbooks and textbook bundles  
23 offered for sale on or after the effective date of this 2007 Act.

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