

LEGISLATIVE RESEARCH UNIT

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HELPING COLLEGE STUDENTS AFFORD TEXTBOOKS

asked what other states are doing to reduce costs of college textbooks. A computer search of all states' laws¹ found several states with laws on this topic. We first provide information on recent studies in Illinois, then describe a new federal law and other states' laws.

Illinois Actions

The Illinois Board of Higher Education (IBHE) and Illinois Community College Board sent a questionnaire to all Illinois public colleges and universities, and reported on its findings in April 2008. We enclose a copy of the report. It listed the following major practices used in Illinois to reduce textbook costs: textbook buyback programs; putting textbooks on library reserve for students; offering custom-published materials, e-books, and student book swaps; and publishing textbook lists in advance.

IBHE Textbook Rental Study

IBHE studied the feasibility and desirability of offering a statewide textbook rental program for public colleges and universities. We enclose a copy of its January 2007 report. The study concluded that such a rental program would reduce costs to students, but would be feasible only if funding for startup costs were available. Participating institutions suggested the following alternatives on the next page:

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- (1) Put required textbooks on library reserve.
- (2) Promote textbook buyback programs and student book swaps.
- (3) Prohibit faculty from profiting from textbook selection.
- (4) Require textbooks to be sold separately from supplementary materials, rather than bundling them with other materials such as CDs and study guides.
- (5) Require faculty to use the same textbook for multiple semesters.
- (6) Eliminate or reduce sales tax on textbooks and educational supplies.
- (7) Publish required textbook lists in advance.
- (8) Create textbook advisory committees to oversee policies relating to textbook adoption.

Federal Law

The College Opportunity and Affordability Act of 2008 became law on August 14, 2008.² It includes some provisions on textbook pricing disclosure, unbundling, and textbook list disclosure (which will not take effect until July 1, 2010), as well as a pilot program for textbook rental. We enclose its sections related to textbooks.

Other States' Laws

At least 15 states had laws with similar provisions before the federal law was enacted. Appendix A to this letter describes 13 types of laws on textbook costs that we found in 15 of the 50 states.

We also found 17 states in which college textbooks are exempt from state sales tax:³

Arizona
Connecticut
Kentucky
Massachusetts
Minnesota

Mississippi
Missouri
Nevada
New Jersey
New Mexico

New York
North Dakota
Pennsylvania
Rhode Island
South Carolina

Virginia
West Virginia

To be exempt, a textbook must be required for a course. Some states have additional restrictions. Arizona's exemption covers only textbooks "sold by a bookstore" and required for a state university or community college course; private schools are not exempt.⁴ Nevada exempts only textbooks sold to students at schools in the University of Nevada system.⁵ New Mexico and Utah exempt only books sold at on-campus bookstores.⁶ Pennsylvania exempts only textbooks bought "on behalf of or through" a college or university.⁷

We hope this information is helpful. Please let us know if we can be of further assistance.

Sincerely,



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Enclosures

1. IBHE and Illinois Community College Board, "A Report on Textbook Cost-Saving Measures Undertaken by Illinois Public Higher Education Institutions Pursuant to Senate Resolution 298" (April, 2008, downloaded from IBHE Internet site).
2. IBHE, "A Report on the Feasibility of Textbook Rental Programs and Other Textbook Cost-Saving Alternatives in Illinois Public Higher Education" (January, 2007, downloaded from IBHE Internet site).
3. Pub. L. 110-315, sec. 112 (2008).
4. Pub. L. 110-315, sec. 803 (2008).

Notes

1. We searched a computer database of state laws for (1) "textbook" or "text book" in the same paragraph as ("college", "university", or "higher education"), or (2) "textbook" or "text book" in the same paragraph as "cost" or "expense." We also found information on the National Association of College Stores Internet site.
2. Pub. L. 110-315 (2008).
3. Ariz. Rev. Stat., subsec. 42-5159(A)(28); Conn. Gen. Stat., subsec. 12-412(109); Ky. Rev. Stat., subsec. 139.480(17); Mass. Gen. Laws, ch. 64H, subsec. 6(m); Minn. Stat. Ann., subsec. 297A.67(13); Miss. Code, subsec. 27-65-105(c); Mo. Rev. Stat., sec. 144.517; Nev. Rev. Stat., sec. 372.287; N.J. Stat. Ann., sec. 54:32B-8.21; N.M. Stat. Ann., sec. 7-9-13.4; N.Y. Tax Law, subsec. 1115(34); N.D. Cent. Code, subsec. 57-39.2-04(5); Pa. Cons. Stat.,

tit. 72, subsec. 7204(33); R.I. Gen. Laws, subsec. 44-18-30(36); S.C. Code, subsec. 12-36-2120(3)(a); Va. Code, subsec. 58.1-609.10(8); and W. Va. Code, subsec. 11-15-9(2).

4. Ariz. Rev. Stat., subsec. 42-5159(A)(28).
5. Nev. Rev. Stat., sec. 372.287.
6. N.M. Stat. Ann., sec. 7-9-13.4.
7. Pa. Cons. Stat., tit. 72, subsec. 7204(33).

Appendix A: States' Laws for Reducing College Textbook Costs, Ranked by Frequency*

States

<i>Requirements</i>	AR	AZ	CA	CO	CT	FL	IA	MN	MO	OK	OR	TN	VA	WA	WV	Total
Publishers must disclose retail prices of textbooks to university faculty and staff.	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-	-	-	<input type="checkbox"/>	-	8
Publishers must provide list of revisions from one edition to the next.	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-	-	-	<input type="checkbox"/>	-	8
Textbook list must be posted on institution's Internet site.	<input type="checkbox"/>	-	<input type="checkbox"/>	-	-	<input type="checkbox"/>	<input type="checkbox"/>	-	-	-	-	-	-	-	<input type="checkbox"/>	5
Textbook list must be posted in campus bookstore.	<input type="checkbox"/>	-	<input type="checkbox"/>	-	-	-	<input type="checkbox"/>	-	-	-	-	-	<input type="checkbox"/>	-	<input type="checkbox"/>	5
Publishers offering textbook bundles must also offer all materials separately.	-	-	-	<input type="checkbox"/>	-	-	-	<input type="checkbox"/>	<input type="checkbox"/>	-	<input type="checkbox"/>	-	-	-	-	4
Campus bookstores offering textbook bundles must also offer all materials separately.	-	-	-	-	-	-	-	-	-	<input type="checkbox"/>	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-	4
Campus bookstores must promote book buy-back programs.	-	-	-	-	-	-	-	-	-	<input type="checkbox"/>	-	<input type="checkbox"/>	-	<input type="checkbox"/>	-	3

Appendix A: States' Laws for Reducing College Textbook Costs, Ranked by Frequency* (cont'd)

Requirements	States																	Total
	AR	AZ	CA	CO	CT	FL	IA	MN	MO	OK	OR	TN	VA	WA	WV			
Publishers must disclose price of textbook bought separately from textbook bundle.	-	-	-	-	-	-	-	-	-	-	□	-	-	□	-	-	3	
Faculty must submit lists of required textbooks in a timely manner.	-	-	-	-	-	□	-	-	-	-	-	□	□	□	-	-	3	
Campus bookstores must disclose retail textbook prices to faculty and staff.	-	-	-	-	-	-	-	-	-	-	□	-	□	-	□	-	3	
Faculty members must consider using the least expensive textbook edition if content is comparable.	-	-	-	-	-	-	-	-	-	-	□	-	□	-	□	-	3	
If publishers provide free copies of textbooks, they must be made available for student use.	-	-	-	-	-	-	-	-	-	-	-	-	□	-	□	-	3	
Textbook lists must be posted in central campus location.	-	-	-	-	-	-	-	-	-	-	-	-	-	□	-	□	2	

* We found no Illinois laws on this topic.

Sources: Ark. Stat. Ann., subsec. 6-60-601(a)(1); Ariz. Rev. Stat., subsec. 15-1891(a); Cal. Education Code, subsecs. 66406.7(d), (e), and (f); Colo. Rev. Stat., sec. 23-5-138; Conn. Gen. Stat. Ann., sec. 10a-44a; Fla. Stat. Ann., subsecs. 1004.09(3) and (4); Iowa Code Ann., sec. 260C.5; Minn. Stat. Ann., subsec. 135A.25(2); Mo. Ann. Stat., subsecs. 173.955(2) and (3); Okla. Stat. Ann., tit. 70, sec. 3240; Okla. Stat. Ann., tit. 70, sec. 3241.1; Ore. Rev. Stat., sec. 337.506; Tenn. Code Ann., sec. 49-7-141; Va. Code Ann., subsec. 23-4.3.1(B); Wash. Rev. Code, subsec. 28B.10.590(1); Wash. Rev. Code, subsec. 28B.10.592(1); and W. Va. Code, subsec. 18B-10-14(f).