

1 **TEXTBOOK PURCHASING AMENDMENTS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jacob L. Anderegg**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill places restrictions on the purchasing of textbooks.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ beginning July 1, 2013, prohibits a school, school district, or charter school from
13 purchasing a paper textbook unless approved by the State Board of Education.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **53A-12-204**, as last amended by Laws of Utah 2002, Chapter 299

22 *Be it enacted by the Legislature of the state of Utah:*

23 Section 1. Section **53A-12-204** is amended to read:

24 **53A-12-204. Paper textbooks prohibited -- Purchase of textbooks by school**
25 **districts or charter schools -- Sales to pupils -- Free textbooks -- Textbooks provided to**
26 **teachers -- Payment of costs -- Rental of textbooks.**

27 (1) Except as provided in Subsection (2), beginning July 1, 2013, a school, school



28 district, or charter school may not purchase a paper textbook, unless approved by the State
29 Board of Education.

30 (2) Subsection (1) does not apply to an existing contract to purchase textbooks in place
31 on July 1, 2013.

32 ~~[(1)]~~ (3) A ~~[local school board]~~ school district or charter school, under rules adopted by
33 the State Board of Education, may purchase textbooks for use in the public schools directly
34 from the publisher at prices and terms approved by the state board and may sell those ~~[books]~~
35 textbooks to pupils in grades ~~[nine]~~ 9 through 12 at a cost not to exceed the actual cost of the
36 ~~[book]~~ textbook plus costs of transportation and handling.

37 ~~[(2)]~~ (4) ~~[Each local school board, however,]~~ A school district or charter school shall
38 provide, free of charge, textbooks and workbooks required for courses of instruction for each
39 child attending public schools whose parent or guardian is financially unable to purchase them.

40 ~~[(3)]~~ (5) Children who are receiving cash assistance under Title 35A, Chapter 3, Part 3,
41 Family Employment Program, supplemental security income, or who are in the custody of the
42 Division of Child and Family Services within the Department of Human Services are eligible
43 for free textbooks and workbooks under this section.

44 ~~[(4)]~~ (6) ~~[The local school board]~~ A school district or charter school shall ~~[also]~~
45 purchase all books necessary for teachers to conduct their classes.

46 ~~[(5)]~~ (7) The cost of furnishing textbooks and workbooks may be paid from school
47 operating funds, the textbook fund, or from other available funds.

48 ~~[(6) Books]~~ (8) Textbooks provided to teachers and pupils without charge or at less
49 than full cost ~~[are]~~ shall be paid for out of funds of the school district or charter school and
50 remain the property of the school district or charter school.

51 ~~[(7)]~~ (9) In school districts or charter schools that require pupils to rent ~~[books]~~
52 textbooks instead of purchasing them or providing them free of charge, the ~~[local school board]~~
53 school district or charter school shall waive rental fees for a child whose parent or guardian is
54 financially unable to pay the rental fee. The children considered eligible under Subsection ~~[(3)]~~
55 (5) are also eligible for the purposes of this Subsection ~~[(7)]~~ (9).

Legislative Review Note
as of 2-19-13 11:41 AM

Office of Legislative Research and General Counsel