

SCHOOL TEXTBOOK FEE AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karianne Lisonbee

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

This bill amends the definition of textbook and expands the costs and materials provided by a school for which a fee may not be charged to students.

Highlighted Provisions:

This bill:

- ▶ amends the definition of textbook;
- ▶ defines related terms; and
- ▶ expands the costs and materials provided by a school for which a fee may not be charged to students.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-7-601, as last amended by Laws of Utah 2019, Chapter 223

53G-7-602, as last amended by Laws of Utah 2019, Chapters 223 and 293

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

Section 1. Section **53G-7-601** is amended to read:



28 **53G-7-601. Definitions.**

29 As used in this part:

30 (1) "Fee" means the same as that term is defined in Section 53G-7-501.

31 (2) (a) "Instructional equipment" means an activity-related, course-related, or

32 program-related tool or instrument that:

33 (i) is required for a student to use as part of an activity, course, or program in a
34 secondary school;

35 (ii) typically becomes the property of the student upon exiting the activity, course, or
36 program; and

37 (iii) is subject to a fee waiver.

38 (b) "Instructional equipment" includes:

39 (i) shears or styling tools;

40 (ii) a band instrument;

41 (iii) a camera;

42 (iv) a stethoscope; or

43 (v) sports equipment, including a bat, mitt, or tennis racquet.

44 (c) "Instructional equipment" does not include school equipment.

45 (3) (a) "Instructional supply" means a consumable or non-reusable supply that is
46 necessary for a student to use as part of an activity, course, or program in a secondary school.

47 (b) "Instructional supply" includes:

48 (i) prescriptive footwear;

49 (ii) brushes or other art supplies, including clay, paint, or art canvas;

50 (iii) wood for wood shop;

51 (iv) Legos for Lego robotics;

52 (v) film; or

53 (vi) filament used for 3D printing.

54 (4) (a) "School equipment" means a durable school-owned machine, equipment, or tool
55 used by a student as part of an activity, course, or program in a secondary school.

56 (b) "School equipment" includes a saw or 3D printer.

57 ~~[(2)]~~ (5) (a) "Textbook" means instructional material necessary for participation in an
58 activity, course, or program, regardless of the format of the material.

- 59 (b) "Textbook" includes:
60 (i) a hardcopy book or printed pages of instructional material, including a consumable
61 workbook; or
62 (ii) computer hardware, software, or digital content.
63 (c) "Textbook" does not include instructional equipment or instructional supplies.
64 Section 2. Section **53G-7-602** is amended to read:
65 **53G-7-602. State policy on providing free textbooks.**
66 (1) It is the public policy of this state that public education shall be free.
67 (2) A student may not be denied an education because of economic inability to
68 purchase textbooks necessary for advancement in or graduation from the public school system.
69 (3) (a) Beginning with the 2022-23 school year, an LEA:
70 (i) except as provided in Subsection (3)(a)(ii), may not sell textbooks or otherwise
71 charge a [~~textbook~~] fee for textbooks or the maintenance costs of school equipment; and
72 (ii) may only charge a fee for a textbook required for an Advanced Placement or, as
73 described in Section **53E-10-302**, a concurrent enrollment course.
74 (b) The LEA shall waive a fee described in Subsection (3)(a)(ii) in full or in part if a
75 student qualifies for a waiver in accordance with Section **53G-7-504**.