



January 22, 2010

SENATE BILL No. 251

DIGEST OF SB 251 (Updated January 20, 2010 7:44 pm - DI 71)

Citations Affected: IC 20-26.

Synopsis: Textbook rental fees. Permits public and nonpublic schools to rent textbooks using an average fee for each student if the average is determined using the same total rental fees that would be charged under the per student method.

Effective: July 1, 2010.

Kenley, Head

January 11, 2010, read first time and referred to Committee on Education and Career Development.
January 21, 2010, reported favorably — Do Pass.

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SB 251—LS 6923/DI 58+



January 22, 2010

Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

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SENATE BILL No. 251

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-26-12-2, AS ADDED BY P.L.1-2005,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2010]: Sec. 2. (a) A governing body may purchase from a
4 contracting publisher, at a price equal to or less than the net contract
5 price, any textbook adopted by the state board and selected by the
6 proper local officials. The governing body may rent these textbooks to
7 students enrolled in any public or nonpublic school that is:

- 8 (1) in compliance with the minimum certification standards of the
9 state board; and
10 (2) located within the attendance unit served by the governing
11 body.

12 The annual rental rate may not exceed twenty-five percent (25%) of the
13 retail price of the textbooks.

14 (b) Notwithstanding subsection (a), the governing body may not
15 assess a rental fee of more than fifteen percent (15%) of the retail price
16 of a textbook that has been:

- 17 (1) adopted for usage by students under IC 20-20-5;

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1 (2) extended for usage by students under IC 20-20-5-2; and
 2 (3) paid for through rental fees previously collected.
 3 **(c) Instead of determining rental fees for textbooks under**
 4 **subsections (a) and (b), a governing body may rent textbooks to**
 5 **students enrolled in public and nonpublic schools described in**
 6 **subsection (a) for a uniform fee per student. To use a uniform fee,**
 7 **the governing body must adopt a resolution to use the uniform fee**
 8 **or receive a resolution to use the uniform fee that is adopted by the**
 9 **governing board of a nonpublic school whose students rent**
 10 **textbooks from the governing body. A uniform textbook rental fee**
 11 **used under this subsection must be calculated using:**
 12 **(1) a numerator representing the sum of the rental fees for all**
 13 **of the books to be rented by the governing body to students of**
 14 **a public school or to students of a nonpublic school; and**
 15 **(2) a denominator representing the number of students to**
 16 **whom textbooks are to be rented.**
 17 **In determining the sum to be used as the numerator in the**
 18 **calculation, the number representing the rental fee for a book to**
 19 **which subsection (a) applies may not exceed twenty-five percent**
 20 **(25%) of the book's retail price and the number representing the**
 21 **rental fee for a book to which subsection (b) applies may not exceed**
 22 **fifteen percent (15%) of the book's retail price.**
 23 ~~(c)~~ **(d) This section does not limit other laws.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 251, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 251 as introduced.)

KRUSE, Chairperson

Committee Vote: Yeas 11, Nays 0.

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