

SENATE BILL 61

By Green

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7, Part 1, relative to textbooks and course materials.

WHEREAS, the high cost of college textbooks continues to be a barrier for many students in higher education; and

WHEREAS, the College Board estimates that the average student budget for college books and supplies was one thousand two hundred dollars (\$1,200) for the 2014-2015 academic school year; and

WHEREAS, the United States Government Accountability Office found that new textbook prices increased eighty-two percent (82%) over the last decade, and that although federal efforts to increase price transparency have provided students and families with more and better information, more must be done to address rising costs; and

WHEREAS, the growth of the Internet has enabled the creation and sharing of digital content, including open educational resources that can be freely used by students, teachers, and members of the public; and

WHEREAS, using open educational resources in place of traditional materials in large-enrollment college courses can reduce textbook costs by eighty to one hundred percent (80-100%); and

WHEREAS, State investment in expanding the use of open educational resources could significantly lower college textbook costs and reduce financial barriers to higher education while making efficient use of taxpayer funds; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) A special joint legislative study committee to evaluate and make recommendations relative to a transition from traditional textbooks for general education courses to open textbooks and course materials by the state institutions of higher education shall be created.

(b) The committee shall consider:

(1) The impact of open textbooks and course materials on the cost of traditional textbooks;

(2) The extent to which open textbooks and course materials can be used at institutions of higher education; and

(3) The potential savings generated for students and the state through the use of open textbooks and course materials.

(c) The committee shall be composed of four (4) members of the senate, to be appointed by the speaker of the senate, and four (4) members of the house of representatives, to be appointed by the speaker of the house of representatives.

(d) The committee shall be convened by the member with the most years of continuous service in the general assembly and, at its organizational meeting, shall elect a chair, vice chair, and other officers the committee may deem necessary.

(e) All appropriate state agencies shall provide assistance to the committee upon the request of the chair.

(f) The committee shall timely report its findings and recommendations, including any potential legislation, to the education committees of the senate and house of representatives by February 1, 2016, at which time the committee shall cease to exist.

(g) As used in this act:

(1) "Commissioner" means the commissioner of education;

(2) "Educational resources" mean educational materials that can be used in institutions of higher education, including textbooks and other written or audiovisual works;

(3) “Open educational resources” mean educational resources that are licensed under open licenses and made freely available online to the public;

(4) “Open license” means a worldwide, royalty-free, nonexclusive, perpetual, irrevocable copyright license granting the public permission to access, reproduce, publicly perform, publicly display, adapt, distribute, and otherwise use the work and adaptations of the work for any purpose, conditioned only on the requirement that attribution be given to authors as designated; and

(5) “Open textbooks and course materials” mean open educational resources or a set of open educational resources that either is a textbook or can be used in place of a textbook for a postsecondary course at a state institution of higher education. Open textbooks and course materials may include printed materials, computer disks, web site access, and electronically distributed materials.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.