

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1982

By: Ranson

4
5
6
7
8 AS INTRODUCED

9 An Act relating to schools; amending 70 O.S. 2021,
10 Section 16-106, which relates to contracts for school
11 materials; requiring stipulation that electronic
12 textbook material will be ready for use; requiring
13 contracts between vendors and schools for certain
14 electronic materials to include certain provisions;
15 allowing damages for violations; stating definitions;
16 providing for codification; providing an effective
17 date; and declaring an emergency.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 70 O.S. 2021, Section 16-106, is
20 amended to read as follows:

21 Section 16-106. A. All contracts with publishers shall be
22 signed by the chairperson and secretary of the State Textbook
23 Committee on behalf of the state. Each contract shall stipulate the
24 price at which each textbook will be sold to the State of Oklahoma,
and that all copies supplied to the State of Oklahoma will be equal

1 to or better than the official copy filed with the secretary of the
2 Committee. The State Textbook Committee may approve the
3 substitution of a later edition in lieu of the textbook originally
4 selected. The publisher shall stipulate in the contract that:

5 1. The price for which the textbook is to be furnished will be
6 the lowest at which the same textbook will be sold or offered for
7 sale for the purpose of securing a state or local selection or
8 adoption elsewhere in the United States during the six (6) months
9 prior to the date of the execution of the contract;

10 2. It will reduce the contract price of the textbook, if the
11 price of the same textbook is reduced below such contract price
12 elsewhere in the United States, and that it will file with the
13 secretary of the Committee a sworn statement of such reduction made
14 elsewhere;

15 3. If it prepares any supplementary or abridged or special
16 editions of any of the textbooks, and shall sell such editions
17 elsewhere at a lower price than that stipulated in the contract, it
18 will file copies of any and all such editions, together with the
19 prices thereof, with the secretary of the Committee;

20 4. It has not entered into any understanding, agreement or
21 combination to control the prices or restrict competition in the
22 sale of textbooks;

23

24

1 5. It will furnish the textbooks to the State of Oklahoma
2 during the term of the contract in such amounts as may be required;
3 ~~and~~

4 6. It will furnish for a like period in lieu of the
5 corresponding textbooks under contract any other books listed in any
6 annual statement subsequently filed by it during the term of the
7 contract to any school district at the lowest new prices contained
8 in such statement, and that it will maintain said prices uniformly
9 through the state; and

10 7. All electronic materials furnished in lieu of or bundled
11 with a physical textbook are ready for use or will be ready for use
12 by the date of delivery.

13 B. Textbooks selected by the State Textbook Committee may be
14 purchased by school districts at the prices for which contracts have
15 been awarded, pending the effective dates of the contracts.

16 C. The chairperson and secretary of the State Textbook
17 Committee, on the advice and consent of the attorney for the State
18 Department of Education, may, with the consent of the holders of
19 state textbook contracts, change any contract to conform with the
20 provisions of Section 16-102 of this title.

21 D. As requested by a school district or the Oklahoma School for
22 the Blind, all publishers who enter into contracts with the State
23 Textbook Committee shall be required to furnish the Committee with
24 electronic files in a file format from which Braille and other

1 accessible versions of the instructional materials can be produced.
2 The file format in which electronic instructional materials files
3 are provided to the Committee shall be in a format prescribed by
4 federal law or regulations promulgated by the United States
5 Department of Education which requires national standards for
6 electronic files to be used for production of accessible
7 instructional materials. In the absence of a federal law or
8 regulation establishing a national standard, a file format standard
9 shall be prescribed by the State Department of Rehabilitation
10 Services.

11 SECTION 2. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 16-201 of Title 70, unless there
13 is created a duplication in numbering, reads as follows:

14 A. Any contract, licensing agreement, or other agreement
15 between a vendor and a school or school district for electronic
16 educational materials, including but not limited to, digital
17 textbooks, supplemental textbook materials, software, online access,
18 and other means of digital distribution, shall include a stipulation
19 or addendum ensuring:

20 1. The materials purchased are ready for use or will be ready
21 for use by the date of delivery;

22 2. A replacement for any defective or nonworking materials will
23 be sent at no cost to the school, in a timely manner, but no later
24

1 than seven (7) calendar days from notification by the school of such
2 defect or nonworking material; and

3 3. Any updates, maintenance, or support services needed for the
4 proper function or applicability of the materials will be supplied
5 in a timely manner, but no later than seven (7) calendar days from
6 notification by the school of an issue.

7 B. A vendor who violates any provision of the stipulation or
8 addendum required under this section shall be liable for treble
9 damages or a penalty of One Thousand Dollars (\$1,000.00), whichever
10 is greater, per day for every calendar day the vendor is in
11 violation.

12 C. For purposes of this section:

13 1. "Electronic educational materials" means materials that are
14 selected and placed on the list of textbooks by the State Textbook
15 Committee, optional supplements created for the approved list of
16 textbooks, materials pertaining to subjects that are not reviewed by
17 the State Textbook Committee, or materials that support instruction
18 in the subject matter standards as adopted by the State Board of
19 Education in Section 11-103.6 of Title 70 of the Oklahoma Statutes
20 that were not reviewed by the State Textbook Committee; and

21 2. "Vendor" means any person, firm, company, corporation, or
22 organization making sales of tangible personal property,
23 intellectual property, or services in this state.

24 SECTION 3. This act shall become effective July 1, 2025.

1 SECTION 4. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5

6 60-1-11162 SW 01/11/25

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24