

By: Representative Brown

To: Education

HOUSE BILL NO. 308
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-43-1, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE LOCAL SCHOOL BOARDS TO MAKE AVAILABLE SURPLUS TEXTBOOKS TO
3 THE PARENTS OR LEGAL GUARDIANS OF ANY CHILDREN OF SCHOOL AGE WHO
4 RESIDE IN THE SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 37-43-1, Mississippi Code of 1972, is
7 amended as follows:

8 37-43-1. (1) This chapter is intended to furnish a plan for
9 the adoption, purchase, distribution, care and use of free
10 textbooks to be loaned to the pupils in all elementary and high
11 schools of Mississippi.

12 (2) The books herein provided by the State Board of
13 Education, which shall be the State Textbook Procurement
14 Commission, shall be distributed and loaned free of cost to the
15 children of the free public schools of the state and of all other
16 schools located in the state, which maintain educational standards
17 equivalent to the standards established by the State Department of
18 Education for the state schools as outlined in the Approval
19 Requirements of the State Board of Education for Nonpublic
20 Schools.

21 (3) Teachers shall permit all pupils in all grades of any
22 public school to carry to their homes for home study, the free
23 textbooks loaned to them, and any other regular textbooks whether
24 they be free textbooks or not.

25 (4) For the purposes of this chapter, the term "board" shall
26 mean the State Board of Education.

27 (5) Textbook shall be defined as any medium or manual of
28 instruction which contains a systematic presentation of the

29 principles of a subject and which constitutes a major
30 instructional vehicle for that subject.

31 (6) In addition to the authority granted in this chapter,
32 local school boards shall make available to the parents or legal
33 guardians of any children of school age who reside in the school
34 district administered by the school board, upon request, any
35 textbooks on the state surplus inventory list. The parent or
36 legal guardian is responsible for the return of the textbook(s) to
37 the local school district upon completion of the textbook(s) use.
38 Failure to return the textbook(s) to the school district will
39 result in the parents or legal guardians being responsible for
40 compensating the school district for the fair market value of the
41 textbook(s). This subsection shall stand repealed from and after
42 July 1, 2008.

43 **SECTION 2.** This act shall take effect and be in force from
44 and after July 1, 2006.