

## Senate Amendments to House Bill No. 308

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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 homeschooled students or students attending any other  
34 private school, Boys and Girls Clubs, after school programs or any  
35 other schools, who reside in the school district administered by  
36 the school board, upon request, any textbooks on the state surplus  
37 inventory list that will assist in the homeschool instructional  
38 program. The parent or legal guardian is responsible for the  
39 return of the textbook(s) to the local school district upon  
40 completion of the textbook(s) use as part of the homeschool  
41 instructional program. Failure to return the textbook(s) to the  
42 school district will result in the parents or legal guardians  
43 being responsible for compensating the school district for the  
44 fair market value of the textbook(s). This subsection shall stand  
45 repealed from and after July 1, 2008.

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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 HOMESCHOOLED STUDENTS OR OTHER  
4 PRIVATE OR PUBLIC SCHOOLS; AND FOR RELATED PURPOSES.

SS26\HB308A.J

John O. Gilbert  
Secretary of the Senate