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HOUSE BILL 310

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Joseph Cervantes

AN ACT

RELATING TO INSTRUCTIONAL MATERIALS; REQUIRING PUBLISHERS OF
INSTRUCTIONAL MATERIALS ON THE MULTIPLE LIST TO PROVIDE
INSTRUCTIONAL MATERIALS IN ELECTRONIC FORMAT FOR ELECTRONIC
READERS BY THE 2013-2014 SCHOOL YEAR; RECONCILING MULTIPLE
AMENDMENTS TO THE SAME SECTION OF LAW IN LAWS 1993.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 22-15-13 NMSA 1978 (being Laws 1967,
Chapter 16, Section 217, as amended by Laws 1993, Chapter 156,
Section 6 and also by Laws 1993, Chapter 226, Section 44) is
amended to read:

"22-15-13. CONTRACTS WITH PUBLISHERS.--

A. The [~~state board~~] department may enter into a
contract with a publisher or a publisher's authorized agent for
the purchase and delivery of instructional material selected

.184626.1

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 from the multiple list adopted by the [~~state board~~] department.

2 B. Payment for instructional material purchased by
3 the [~~state board~~] department shall be made only upon
4 performance of the contract and the delivery and receipt of the
5 instructional material.

6 C. Each publisher or publisher's authorized agent
7 contracting with the state for the sale of instructional
8 material shall agree:

9 (1) to file a copy of each item of
10 instructional material to be furnished under the contract with
11 the [~~state board~~] department with a certificate attached
12 identifying it as an exact copy of the item of instructional
13 material to be furnished under the contract;

14 (2) that the instructional material furnished
15 pursuant to the contract shall be of the same quality in regard
16 to paper, binding, printing, illustrations, subject matter and
17 authorship as the copy filed with the [~~state board~~] department;
18 and

19 (3) that if instructional material under the
20 contract is sold elsewhere in the United States for a price
21 less than that agreed upon in the contract with the state, the
22 price to the state shall be reduced to the same amount.

23 D. Each contract executed for the acquisition of
24 instructional [~~materials~~] material shall include the right of
25 the department [~~of education~~] to transcribe and reproduce

.184626.1

underscored material = new
~~[bracketed material] = delete~~

1 instructional material in media appropriate for the use of
2 students with visual impairment who are unable to use
3 instructional ~~[materials]~~ material in conventional print and
4 form. Publishers of adopted textbooks also shall be required
5 to provide those materials to the department ~~[of education]~~ or
6 its designated agent in an electronic format specified by the
7 ~~[division]~~ department that is readily translatable into Braille
8 and also can be used for large print or speech access within a
9 time period specified by the department ~~[of education]~~.

10 E. Beginning with instructional material for the
11 2013-2014 for school year, publishers of instructional material
12 on the multiple list shall be required to provide those
13 materials in an electronic format for electronic readers."