

A BILL

FOR AN ACT TO PROVIDE FOR FREE TEXT BOOKS AND SUPPLIES IN ALL SCHOOL DISTRICTS OF THE STATE, TO AUTHORIZE THE MAKING OF CONTRACTS THEREFOR, AND THE TERMS, CONDITIONS AND FORM THEREOF, TO PROVIDE THE TERMS AND CONDITIONS UNDER WHICH PUBLISHERS MAY LAWFULLY CONTRACT TO FURNISH SUCH BOOKS, TO FIX THE DUTIES OF SCHOOL OFFICERS IN REFERENCE THERETO, TO PROVIDE THE TERMS AND CONDITIONS UNDER WHICH SUCH BOOKS MAY BE LOANED TO PUPILS AND THEIR RESPONSIBILITY THEREFOR, TO AUTHORIZE THE LEVY OF AN ADDITIONAL CONTINGENT FUND WITH WHICH TO PAY FOR SUCH BOOKS AND SUPPLIES, AND TO REPEAL ACTS AND PARTS THEREOF IN CONFLICT HEREWITH.

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

Section 1. School boards of all school districts in this state are hereby empowered and it is
2 made their duty to purchase all text books necessary for the schools of such district, and they
3 are further authorized to enter into contract as hereinafter provided with the publishers of
4 such books for a term of years, not to exceed five (5) years; provided, that the contract price
5 of such books shall not exceed the lowest price then granted to any dealer, state, county, town-
6 ship, school district, or other individual or corporation in the United States to be determined as
7 hereinafter provided; and, provided further, that such contract shall guarantee to such districts
8 any further reduction that may be granted elsewhere during the life of such contract.

Sec. 2. Before any publisher of school books, or dealers therein shall be permitted to enter
2 into contract with any school district under the provisions of this act, he shall file with the
3 state superintendent of public instruction, to be approved by him, a good and sufficient bond
4 in the sum of ten thousand dollars for the faithful performance of the conditions of such con-
5 tracts, and the observance of the requirements of this act; and such publisher shall also file
6 with the state superintendent of public instruction a sworn statement of the lowest price for
7 which his series of text books are sold anywhere in the United States; and a failure to file such
8 bond and sworn statement of prices shall be a good and valid defense on the part of the dis-
9 trict against payment for any books that may be sold by such publisher prior to the date of
10 filing such bond and sworn statement of prices; and all such contracts to which such publisher
11 is a party, made subsequent to the passage of this act and prior to filing such bond and sworn
12 statement of prices shall be null and void.

Sec. 3. For the purpose of paying for school books, the school district officers may draw an
2 order on the county or school treasurer, as the case may be, for the amount of school books or-
3 dered, which warrant shall be paid out of the contingent fund.

Sec. 4. Any contract entered into under the provisions of this act with any publisher who shall hereafter become a party to any combination or trust for the purpose of raising the price of school text books, shall, at the option of the school board of the district using such books, become null and void.

Sec. 5. The state superintendent of public instruction shall, within thirty days after the filing of the hereinbefore mentioned sworn statement of prices of text books, have the same printed and forward a sufficient number of certified copies of the same to each of the county superintendents of the state to furnish all the school districts of such county with one copy each; and the county superintendent shall immediately after receiving said certified copies of prices of books, send or deliver one of such certified copies to the secretary of each school district in each county to be filed as a part of the records of such district, and he shall also file one of said certified copies of prices in his office as a part of the records of said office.

Sec. 6. It shall be the duty of the state superintendent of public instruction to prepare and have printed a form of contract between district boards and publishers of school books, and to furnish the same through the county superintendent to the several district boards of the state; and no other form of contract shall be used by such district boards and publishers in carrying on the provisions of this act.

Sec. 7. Upon the filing of a written complaint with the state superintendent of public instruction by the officers of any district board, charging any publisher with violating the conditions of such contract as hereinbefore mentioned, the attorney general is hereby instructed, and it shall be his duty to investigate the same, and if he finds probable cause for action he shall immediately begin proceedings in the name of the state to enforce the liability on the bond hereinbefore mentioned.

Sec. 8. All books purchased by district boards, as hereinbefore mentioned, shall be held as the property of the district, and loaned to pupils of the school while pursuing a course of study therein, free of charge, but the district boards shall hold such pupils responsible for any damage to, loss of, or failure to return such books at the time and to the person that may be designated by the board of such district.

Sec. 9. The provisions of this act shall include all school supplies, provided, that nothing in this act shall be construed to prohibit any pupil or parent from purchasing from the board such books as may be necessary, at cost to the district. Provided, further, that the board may designate some local dealer to handle books for the district, with such an increase above contract price to pay cost of transportation and handling as may be agreed upon between said board and said dealer.

Sec. 10. The board of directors of each district shall annually certify to the board of supervisors the additional amount necessary to levy for the contingent fund to pay for such books and supplies.

Sec. 11. All acts and parts of acts in conflict herewith are hereby repealed.