

By: Swanson

H.B. No. 231

A BILL TO BE ENTITLED

AN ACT

relating to the purchase of online library resources for primary and secondary schools by the Texas State Library and Archives Commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter M, Chapter 441, Government Code, is amended by adding Section 441.231 to read as follows:

Sec. 441.231. ONLINE LIBRARY RESOURCES FOR PRIMARY AND SECONDARY SCHOOLS. (a) The commission shall use funds appropriated to the commission or consortium services fees collected from school districts under Section 441.224(b) to purchase online library resources for primary and secondary schools that:

(1) meet the standards adopted by the State Board of Education under this section; and

(2) have adopted Internet safety policies and technology protection measures meeting the requirements for certification under 47 U.S.C. Sections 254(h)(5)(B) and (C).

(b) The State Board of Education by rule shall adopt standards for online library resources purchased under Subsection (a).

(c) The commission may purchase online library resources under Subsection (a) only if the vendor providing the resources certifies that the resources comply with:

1 (1) the standards adopted by the State Board of
2 Education under this section; and

3 (2) 47 U.S.C. Section 254(h)(5).

4 (d) If the State Board of Education finds that a vendor
5 subject to Subsection (c) is not substantially complying with the
6 standards adopted by the board or the requirements of 47 U.S.C.
7 Section 254(h)(5), the board shall notify the vendor of the
8 vendor's noncompliance. If the vendor fails to substantially
9 comply with the standards and federal law on or before the 90th day
10 after the date the vendor receives the notice, the board shall
11 notify the commission and the commission may withhold further
12 payments to the vendor pending verification of compliance with the
13 standards and federal law.

14 (e) If a vendor described by Subsection (d) fails to verify
15 that the vendor is in compliance with the standards and federal law
16 on or before the 180th day after the date the vendor receives the
17 notice of noncompliance described by that subsection, the
18 commission may consider the vendor's act of noncompliance a breach
19 of contract.

20 (f) Not later than December 1 of each year, the commission
21 shall submit to the Legislative Budget Board and the office of the
22 governor a report on any issues related to vendor compliance with:

23 (1) standards adopted by the State Board of Education
24 under this section; and

25 (2) technology protection measures required by 47
26 U.S.C. Section 254(h)(5).

27 (g) The State Board of Education by rule shall establish a

1 system to promptly and efficiently address complaints filed with
2 the board regarding:

3 (1) online library resources purchased by the
4 commission under Subsection (a); and

5 (2) vendors providing online library resources
6 described by Subdivision (1).

7 SECTION 2. This Act takes effect September 1, 2023.