

By: Shaheen

H.B. No. 1404

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting public schools from purchasing library materials from certain vendors.

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

SECTION 1. Subchapter B, Chapter 33, Education Code, is amended by adding Section 33.027 to read as follows:

Sec. 33.027. PURCHASE OF LIBRARY MATERIALS FROM CERTAIN VENDORS PROHIBITED. (a) In this section, "obscene" has the meaning assigned by Section 43.21, Penal Code.

(b) If a school district or open-enrollment charter school determines that a material in the catalog of a school library of the district or school is obscene, the district or school shall report to the agency as soon as practicable the material and the vendor from which the district or school purchased the material.

(c) The agency shall maintain on the agency's Internet website a list of vendors reported to the agency under Subsection (b). The agency shall update the list not later than the 30th day after the date the agency receives a report under Subsection (b).

(d) A school district or open-enrollment charter school may not purchase materials from a vendor on the list described by Subsection (c).

SECTION 2. This Act applies beginning with the 2023-2024 school year.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2023.