

By: Swanson

H.B. No. 177

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the purchase of online library resources for primary  
3 and secondary schools by the Texas State Library and Archives  
4 Commission.

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

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

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

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

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

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

22 (c) The commission may purchase online library resources  
23 under Subsection (a) only if the vendor providing the resources  
24 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 immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2025.