

BILL ANALYSIS

C.S.H.B. 1184
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Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Textbook prices have steadily increased in the past years with a recorded 62% increase in wholesale prices by textbook publishers in the past decade. This jump in price has made it increasingly difficult for students to afford the costs of attending an institution of higher education. C.S.H.B. 1184 makes an attempt to limit these high costs by requiring faculty members to adopt the same textbook for use in the classroom in subsequent semesters. In addition, except in the case where a significant advancement in knowledge or technology renders a current textbook obsolete, the core curriculum courses will be required to adopt the same textbook for three years of consecutive use. This legislation is intended to minimize higher costs attributed to new textbooks in situations where the current textbook is sufficient. In fact, on average a new edition of a textbook with minimal changes costs 45% more than a used copy of an older version.

C.S.H.B. 1184 declares that textbooks for core curriculum courses will be used for a minimum of three subsequent years unless newer editions are needed due to an advance in knowledge or technology or a discrepancy in sections of the course. In the case of the latter, advice from students and faculty will be taken into consideration before a decision is made by the governing board as to whether or not the same textbooks will be used. The policy decided upon by the governing board will be published in the catalog of the institution.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Provides that the governing boards of each institutions of higher education must adopt a policy that regulates the use of textbooks in core curriculum courses. The policy directs the institution to use the same textbooks and editions for a minimum of three academic years in core curriculum courses, regardless of the faculty member teaching the course and regardless of how often the institution offers the course during that period. It requires that the governing board seek advice and comment from the faculty and teachers before adopting a policy. It requires that the governing board make that policy available in the course catalog of the institution and that they file a copy with the Texas Higher Education Coordinating Board.

SECTION 2. Requires that the policy be implemented by the institution no later than January 1, 2006, and that the Texas Higher Education Coordinating Board be notified of the policy no later than August 1, 2006.

SECTION 3. Effective date.

EFFECTIVE DATE

This Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute provides allows every individual faculty member the opportunity to choose a textbook or textbooks and require their use for three consecutive academic school years. The

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substitute provides further clarification by adding "section or" before the word "course." Additionally, the substitute exempts books that are recommended but not required, and states that a governing board must decide whether good cause for changing a textbook exists no later than 90 days after the application to change it has been submitted.