

By: Branch, Flynn, Bonnen, Kolthorst,
Rodriguez, et al.

H.B. No. 661

A BILL TO BE ENTITLED

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AN ACT

relating to allowing designated public school libraries to participate in group purchasing agreements with the TexShare Library Consortium.

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

SECTION 1. Section 441.223, Government Code, is amended to read as follows:

Sec. 441.223. FINDINGS; PURPOSE AND METHODS. The legislature finds that it is necessary to assist libraries at public and private or independent institutions of higher education, public libraries, designated public school libraries, and libraries of nonprofit corporations to promote the public good by achieving the following public purposes through the following methods:

(1) to promote the future well-being of the citizenry, enhance quality teaching and research excellence at institutions of higher education through the efficient exchange of information and the sharing of library resources, improve educational resources in all communities, and expand the availability of information about clinical medical research and the history of medicine;

(2) to maximize the effectiveness of library expenditures by enabling libraries to share staff expertise and to share library resources in print and in an electronic form, including books, journals, technical reports, and databases;

1 (3) to increase the intellectual productivity of
2 students and faculty at the participating institutions of higher
3 education by emphasizing access to information rather than
4 ownership of documents and other information sources; ~~and~~

5 (4) to facilitate joint purchasing agreements for
6 purchasing information services and encourage cooperative research
7 and development of information technologies; and

8 (5) to enhance the ability of public schools to
9 further student achievement and lifelong learning through
10 designated public school library participation in group purchasing
11 agreements.

12 SECTION 2. Section 441.224, Government Code, is amended to
13 read as follows:

14 Sec. 441.224. MEMBERSHIP; FEES. (a) Membership in the
15 consortium is open to all institutions of higher education, all
16 public libraries that are members of the state library system, and
17 all libraries of nonprofit corporations.

18 (b) The director and librarian may establish categories of
19 consortium services and assess different fees ~~[to members]~~ for
20 different categories of consortium services.

21 SECTION 3. Section 441.229, Government Code, is amended to
22 read as follows:

23 Sec. 441.229. GROUP PURCHASING AGREEMENTS. (a) For the
24 purposes of administering this subchapter, the commission may enter
25 into group purchasing agreements on behalf of ~~[members of]~~ the
26 consortium under which materials or services may be obtained at
27 discount rates by two or more libraries if the commission

1 determines that the agreements offer the most cost-effective method
2 of purchasing library materials or services for [~~members of~~] the
3 consortium.

4 (b) The commission may designate public school libraries
5 that may participate in group purchasing agreements provided to the
6 consortium. The commission by rule shall establish criteria for
7 the participation.

8 (c) The commission may allow designated public school
9 libraries to participate in a group purchasing agreement only to
10 the extent that the commission may do so efficiently and only in a
11 manner that does not reduce services to consortium members.

12 SECTION 4. This Act takes effect September 1, 2005.