

By: Shapiro

S.B. No. 1392

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the correction of errors during the review and adoption
3 process for public school textbooks.

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

5 SECTION 1. Subchapter B, Chapter 31, Education Code, is
6 amended by adding Section 31.0221 to read as follows:

7 Sec. 31.0221. CORRECTION OF FACTUAL ERRORS. (a) To promote
8 efficiency in the correction of factual errors during the textbook
9 review and adoption process, the State Board of Education shall:

10 (1) to the extent practicable, conduct the review of a
11 textbook using page proofs or other appropriate draft versions of
12 the textbook; and

13 (2) require the publisher or manufacturer to provide
14 textbook materials, such as page proofs, draft versions, or sample
15 textbooks, directly to state textbook review panel members in a
16 timely manner so that the members have adequate time to review the
17 materials.

18 (b) During the textbook review and adoption process, the
19 publisher or manufacturer of a textbook proposed for adoption in
20 this state shall promptly correct any factual errors discovered in
21 the textbook.

22 (c) The board shall adopt rules authorizing the imposition
23 of an administrative penalty in the manner provided by Section
24 31.151 against a publisher or manufacturer who knowingly violates

1 Subsection (b). In setting the amount of any penalty to be imposed
2 under this subsection, the board shall consider the stage of the
3 textbook review and adoption process at which the violation occurs
4 and set progressively higher penalties for violations that occur
5 later in the process.

6 SECTION 2. Section 31.0221, Education Code, as added by
7 this Act, applies only to a textbook submitted for review by the
8 State Board of Education on or after the effective date of this Act.
9 A textbook submitted for review before the effective date of this
10 Act is governed by the law in effect at the time the textbook is
11 submitted for review, and the former law is continued in effect for
12 that purpose.

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2005.