

Amend CSHB 3382 by adding the following appropriately numbered new SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ . Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.949 to read as follows:

Sec. 51.949. INFORMATION FOR BOOKSTORES RELATING TO INSTRUCTIONAL MATERIALS. (a) In this section:

(1) "Institution of higher education" has the meaning assigned by Section 61.003.

(2) "Instructional materials" means any printed or computer-generated educational material, including textbooks, or any equipment or supplies that a student is required or recommended to use in connection with a course.

(3) "University-affiliated bookstore" means a store that sells instructional materials, regardless of whether the store is located on the campus of an institution of higher education, and that is operated by or with the approval of the institution through ownership or through a management, lease, rental, or similar agreement.

(b) This section does not apply to an institution of higher education with a university-affiliated bookstore if the bookstore is owned and operated by the institution.

(c) Each institution of higher education shall make available for public inspection through the Internet or in person a list of required or recommended instructional materials for a semester or other academic term at the same time the institution provides the list to the operator of a university-affiliated bookstore.

(d) To the extent that space for an activity described by this subsection is available, an institution of higher education shall provide to a retailer or other provider of instructional materials that holds a sales tax permit issued to the provider under Subchapter F, Chapter 151, Tax Code, the same opportunity as an operator of a university-affiliated bookstore to participate in any programs related to the dissemination or provision of instructional materials for students of the institution, including providing information at student orientation or participating in a program of

repurchasing instructional materials. If sufficient space is not available for each provider of instructional materials, other than an operator of a university-affiliated bookstore, that holds a sales tax permit and that applies to participate in an activity described by this subsection, the institution shall provide the available space in the same order as those providers applied to participate in the activity.

(e) An institution of higher education may charge to a provider of instructional materials, other than an operator of a university-affiliated bookstore, a reasonable fee for participation in an activity described by Subsection (d).

(f) If an institution of higher education works in conjunction with a university-affiliated bookstore to provide a method for the extension of credit or the ability of a student to charge or otherwise delay the payment of the costs of instructional materials, including the extension of credit under Section 51.929(b), the institution shall provide to any other provider of instructional materials to students of the institution that holds a sales tax permit issued to the provider under Subchapter F, Chapter 151, Tax Code, equal access and opportunity to use or develop the same or similar method of payment at a reasonable cost to that person.

(g) Subsection (f) does not restrict an institution of higher education from adopting or enforcing a policy that is necessary to ensure the institution's compliance with a rule or policy of the National Collegiate Athletic Association or of another organization governing intercollegiate athletic competition of which the institution is a member.

SECTION _____. (a) Section 51.949, Education Code, as added by this Act, applies only to a semester or term that begins on or after the effective date of this Act.

(b) Section 51.949, Education Code, as added by this Act, does not affect the terms of a contract entered into before the effective date of this Act.

(c) As soon as practicable on or after the effective date of this Act, each public institution of higher education to which Section 51.949, Education Code, as added by this Act, applies shall

designate an officer or employee of the institution to ensure the institution's compliance with that section.