

By: Vo

H.B. No. 2965

A BILL TO BE ENTITLED

AN ACT

1
2 relating to measures to reduce faculty substitutions of certain
3 higher education textbooks.

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

5 SECTION 1. Subchapter Z, Chapter 51, Education Code, is
6 amended by adding Section 51.955 to read as follows:

7 Sec. 51.955. MEASURES TO REDUCE FACULTY SUBSTITUTIONS OF
8 TEXTBOOKS. (a) In this section, "faculty member" has the meaning
9 assigned by Section 51.917.

10 (b) This section applies only to a textbook published
11 primarily for the instruction of undergraduate students enrolled at
12 institutions of higher education.

13 (c) Except as provided by Subsection (e), a faculty member
14 may not require or recommend for student use for a course an edition
15 of any textbook that was previously required or recommended for the
16 course by any faculty member of the institution if the edition was
17 published before the third anniversary of the date of publication
18 of the edition last required or recommended by a faculty member for
19 the course.

20 (d) Except as provided by Subsection (e), a faculty member
21 may not require or recommend an edition of a textbook for student
22 use for a course unless any of the information that may be needed to
23 update that edition:

24 (1) will or can be made available in a form that

1 permits the information to be included as an insert in that edition;
2 and

3 (2) will or can be made available for sale at one or
4 more bookstores that specialize in selling textbooks to students
5 enrolled at the applicable institution.

6 (e) A faculty member may require or recommend for student
7 use for a course an edition of a textbook otherwise prohibited by
8 Subsection (c) or (d) only if the chair of the department in which
9 the course is offered, or the chair's designee, determines that:

10 (1) the use of that edition:

11 (A) is necessary to provide adequate instruction
12 to students; or

13 (B) would cost students significantly less than
14 use of an alternative textbook; or

15 (2) other good cause exists for the use of that
16 edition.

17 SECTION 2. Section 51.955, Education Code, as added by this
18 Act, applies to use of a textbook by a faculty member at a public
19 institution of higher education beginning with the 2008 fall
20 semester.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2007.