

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 26, 2007**

**TO:** Honorable David Dewhurst , Lieutenant Governor, Senate  
Honorable Tom Craddick, Speaker of the House, House of Representatives

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB3382** by Naishtat (Relating to providing certain electronic copies of instructional material for blind and visually impaired students and students with dyslexia who are enrolled at public institutions of higher education. ), **Conference Committee Report**

**No significant fiscal implication to the State is anticipated.**

The bill relates to providing certain computerized instructional material for blind and visually impaired students and students with dyslexia at public institutions of higher education. The bill applies to instructional material that is written primarily for postsecondary instruction of students and is required or essential to student success. To assist the institution in producing special instructional material, the publisher shall provide electronic copies based on the printed instructional material. A request made by an institution must certify each blind or visually impaired student is enrolled at the institution and must be signed by the person with primary responsibilities for students with disabilities. A publisher may require the student to use the requested electronic copies only for the student's own educational purposes and not to copy the files or printed material. If the publisher and the institution are not able to agree on a format, the publisher shall provide the computerized files in electronic copy of the instructional material in a format that can be read by a word processing application.

Under provisions of the bill, the Higher Education Coordinating Board may impose a reasonable administrative penalty, not to exceed \$250 per violation, against a publisher or manufacturer who knowingly violates this section. The coordinating board will base the amount of the penalty on the seriousness of the violation, any history of previous violations, the amount necessary to deter future violations, any effort to correct the violation, and any other matter justice requires. The publisher or manufacturer would not be required to comply with sections (c) and (f) of the bill if certain conditions are met. Provisions of the bill would be implemented within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 720 The University of Texas System Administration, 781 Higher Education Coordinating Board, 710 Texas A&M University System Administrative and General Offices, 758 Texas State University System, 783 University of Houston System Administration

**LBB Staff:** JOB, JSp, MN, RT, GO