

BILL ANALYSIS

Senate Research Center
81R20889 KEL-D

H.B. 1096
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Higher Education
5/11/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1096 amends current law relating to the provision of notice regarding the availability of higher education textbooks through multiple retailers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 51.9705, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.9705, as follows:

Sec. 51.9705. NOTICE REGARDING AVAILABILITY OF TEXTBOOKS THROUGH MULTIPLE RETAILERS. (a) Defines "institution of higher education" (institution) and "university-affiliated bookstore" (bookstore).

(b) Requires the Texas Higher Education Coordinating Board (THECB) to prescribe procedures by which each institution is required to provide to each student enrolled at the institution written notice regarding the availability of required or recommended textbooks through bookstores and through retailers other than bookstores. Requires that the procedures require the institution to provide the notice to each student of the institution during the week preceding each fall and spring semester; to each student enrolled at the institution in a semester of summer term during the first three weeks of the semester or the first week of the summer term, as applicable; and to students or prospective students of the institution attending an orientation conducted by or for the institution.

(c) Requires that the notice be provided in a hard-copy or electronic format in a manner that ensures that the notice is reasonably likely to come to the attention of a student receiving the notice. Sets forth the required language of the notice.

(d) Requires THECB to adopt rules to administer this section.

SECTION 2. (a) Provides that the change in law made by this Act applies beginning with the 2009 fall semester.

(b) Requires THECB to adopt rules under Section 51.9705, Education Code, as added by this Act, as soon as practicable after this Act takes effect. Authorizes THECB, for that purpose, to adopt the initial rules in the manner provided by law for adoption of emergency rules.

SECTION 3. Effective date: upon passage or September 1, 2009.