

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 21, 2009

TO: Honorable Dan Branch, Chair, House Committee on Higher Education

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

IN RE: HB3283 by Rose (Relating to measures to increase the affordability of textbooks used for courses at public institutions of higher education; authorizing a penalty.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require institutions of higher education to disseminate certain information concerning textbooks required for use in courses during the academic term, including: retail price; author; publisher; copyright date; International Standard Book Number; and the availability of the textbook in electronic format. The information would be published by the institution in both hardcopy and electronically and be provided not later than the 30th day before the first day classes are conducted for the academic term referenced.

The bill would require textbook publishers to provide those faculty members in charge of selecting course materials with information regarding the availability of electronic course materials and the price that such materials will be offered to bookstores. University-affiliated bookstores would additionally be required to provide, on specific request, similar information regarding the availability of electronic course materials and the price that such materials are offered to students.

The bill would require the coordinating board to conduct a study, and recommend policies, regarding the use and availability of electronic textbooks in Texas, and in other states. The study would specifically include a focus on the results of a pilot program conducted by the University of Texas at Austin and address methods to encourage the use of electronic textbooks.

Finally, the bill would require the coordinating board to adopt rules to impose a reasonable administrative penalty against knowing violations of the bill's requirements and would grant the attorney general the authority to bring an action for collection of such penalties.

The coordinating board reported that they are not currently set-up or staffed to conduct administrative hearings and therefore assumed that they would be assisted in related responsibilities by the State Office of Administrative Hearings.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

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