

By: Brown

H.B. No. 537

Substitute the following for H.B. No. 537:

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C.S.H.B. No. 537

A BILL TO BE ENTITLED

AN ACT

relating to fair treatment of all providers of instructional materials to students enrolled at public institutions of higher education.

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

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.949 to read as follows:

Sec. 51.949. FAIR TREATMENT OF PROVIDERS OF 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 at an institution of higher education.

(b) An institution of higher education may not grant preference to any provider of textbooks or other instructional materials in conducting activities of the institution during student orientation or as part of any program for repurchasing instructional materials from students.

SECTION 2. (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.

1 (b) Section 51.949, Education Code, as added by this Act,
2 does not affect the terms of a contract entered into before the
3 effective date of this Act, except that if the contract is renewed,
4 modified, or extended on or after the effective date of this Act,
5 Section 51.949 applies to the contract beginning on the date of
6 renewal, modification, or extension.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2011.