

By: Hochberg

H.B. No. 1539

A BILL TO BE ENTITLED

AN ACT

relating to state ownership of school textbooks.

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

SECTION 1. Section 31.102, Education Code, is amended to read as follows:

~~[(a) Each textbook purchased as provided by this chapter is the property of this state.]~~

~~[(b) Subsection (a) applies to an electronic textbook only to the extent of any applicable licensing agreement.]~~

~~[(c)]~~ The board of trustees of a school district or the governing body of an open-enrollment charter school is the legal custodian of textbooks purchased as provided by this chapter for the district or school. The board of trustees shall distribute textbooks to students in the manner that the board or governing body determines is most effective and economical.

SECTION 2. Section 31.104(c), Education Code, is amended to read as follows:

(c) ~~[Each textbook must state that the textbook is the property of or is licensed to this state, as appropriate. Each textbook, other than an electronic textbook or a printed copy of an open-source textbook, must be covered by the student under the direction of the teacher.]~~ Except as provided by Subsection (g), a

student must return all textbooks to the teacher at the end of the school year or when the student withdraws from school.

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