

1-1 By: Van de Putte S.B. No. 1005
1-2 (In the Senate - Filed February 28, 2011; March 16, 2011,
1-3 read first time and referred to Committee on Higher Education;
1-4 April 11, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; April 11, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1005 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to fair treatment of all providers of instructional
1-11 materials to students enrolled at public institutions of higher
1-12 education.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter Z, Chapter 51, Education Code, is
1-15 amended by adding Section 51.949 to read as follows:

1-16 Sec. 51.949. FAIR TREATMENT OF PROVIDERS OF INSTRUCTIONAL
1-17 MATERIALS. (a) In this section:

1-18 (1) "Institution of higher education" has the meaning
1-19 assigned by Section 61.003.

1-20 (2) "Instructional materials" means any printed or
1-21 computer-generated educational material, including textbooks, or
1-22 any equipment or supplies that a student is required or recommended
1-23 to use in connection with a course at an institution of higher
1-24 education.

1-25 (b) An institution of higher education may not grant
1-26 preference to any provider of textbooks or other instructional
1-27 materials in conducting activities of the institution:

1-28 (1) during student orientation or registration; or

1-29 (2) as part of any program for repurchasing
1-30 instructional materials from students.

1-31 SECTION 2. Section 51.949, Education Code, as added by this
1-32 Act, applies only to a semester or term that begins on or after the
1-33 effective date of this Act.

1-34 SECTION 3. This Act takes effect immediately if it receives
1-35 a vote of two-thirds of all the members elected to each house, as
1-36 provided by Section 39, Article III, Texas Constitution. If this
1-37 Act does not receive the vote necessary for immediate effect, this
1-38 Act takes effect September 1, 2011.

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