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S.B. No. 915

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the establishment and administration by the Texas  
3 Higher Education Coordinating Board of a textbook affordability  
4 pilot program at a public institution of higher education.

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

6 SECTION 1. Subchapter C, Chapter 61, Education Code, is  
7 amended by adding Section 61.0667 to read as follows:

8 Sec. 61.0667. TEXTBOOK AFFORDABILITY PILOT PROGRAM.

9 (a) In this section:

10 (1) "College bookstore" means a bookstore that is:

11 (A) operated by an institution of higher  
12 education; or

13 (B) in a contractual relationship or otherwise  
14 affiliated with an institution of higher education.

15 (2) "Electronic textbook" means a textbook accessed  
16 through computer software, interactive videodisc, magnetic media,  
17 CD-ROM, computer courseware, online services, an electronic  
18 medium, or other means of conveying information to the student or  
19 otherwise contributing to the learning process through electronic  
20 means, including an open-source textbook.

21 (3) "Eligible institution" means an institution of  
22 higher education that has:

23 (A) a total undergraduate student enrollment of  
24 more than 18,000; and

1                   (B) a college bookstore.

2                   (4) "Open-source textbook" means an electronic  
3 textbook that is available for downloading from the Internet at no  
4 charge to a student and without requiring the purchase of an unlock  
5 code, membership, or other access or use charge, except for a charge  
6 to order an optional printed copy of all or part of the textbook.

7                   (b) The board shall establish and administer a pilot program  
8 to encourage the use of affordable textbooks at institutions of  
9 higher education. The board shall select one eligible institution  
10 to participate in the pilot program.

11                   (c) The board by rule shall establish the application  
12 process and selection criteria for participation in the pilot  
13 program. If no eligible institutions apply, the board may select  
14 any eligible institution to participate in the pilot program.

15                   (d) The board shall designate one academic department of the  
16 selected eligible institution to implement the pilot program. The  
17 designated department shall:

18                   (1) to the greatest extent possible, use electronic or  
19 open-source textbooks, open educational resources, public domain  
20 material, or other free or low-cost textbooks or textbook  
21 alternatives for each course offered through the department;

22                   (2) notify the institution's college bookstore of each  
23 textbook or textbook alternative that has been adopted for use in a  
24 course offered through the department and that will be distributed  
25 through the bookstore; and

26                   (3) maintain records of the cost of textbooks and  
27 textbook alternatives for each course offered through the

1 department for the duration of the pilot program.

2 (e) On receipt of notice from the designated department  
3 under Subsection (d)(2), the selected eligible institution's  
4 college bookstore shall notify the designated department of the  
5 anticipated cost to a student of each textbook or textbook  
6 alternative that has been adopted for use in a course offered  
7 through the department and that will be distributed through the  
8 bookstore.

9 (f) Not later than December 1, 2018, the board shall submit  
10 to the governor, lieutenant governor, speaker of the house of  
11 representatives, and presiding officer of each standing  
12 legislative committee with primary jurisdiction over higher  
13 education a report on the success of the pilot program under this  
14 section and any recommendations for legislative or other action.  
15 The report must include a comparison of the average cost of  
16 textbooks for courses offered through the department designated  
17 under Subsection (d) to implement the pilot program and for courses  
18 offered through departments at other institutions of higher  
19 education that have implemented a similar textbook affordability  
20 program.

21 (g) On request by the board, the eligible institution  
22 selected to participate in the pilot program shall assist in  
23 preparing the report required under Subsection (f).

24 (h) The board may solicit and accept gifts, grants, and  
25 donations from any public or private source to prepare the report  
26 and develop recommendations as required by Subsection (f).

27 (i) The board shall adopt rules as necessary to implement

1 this section.

2 (j) This section expires September 1, 2019.

3 SECTION 2. The Texas Higher Education Coordinating Board  
4 shall implement the pilot program required under Section 61.0667,  
5 Education Code, as added by this Act, beginning with the 2015-2016  
6 academic year.

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, 2015.