

By: Kolkhorst

S.B. No. 915

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the textbook affordability pilot program and to certain  
3 studies and reports by the Texas Higher Education Coordinating  
4 Board regarding achievable cost-saving measures and the use and  
5 availability of electronic, public domain, and open source  
6 textbooks at institutions of higher education

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

8 SECTION 1. Subchapter C, Chapter 61, Education Code, is  
9 amended by adding Section 61.0764 to read as follows:

10 Sec. 61.0764. TEXTBOOK AFFORDABILITY PILOT PROGRAM. (a) In  
11 this section:

12 (1) "Department" means the department selected by the  
13 board to administer the pilot program created by this section;

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

20 (3) "Faculty member" means any full-time or part-time  
21 employee of the university with teaching responsibilities;

22 (4) "Institution" means the Texas A&M University;

23 (5) "Open source textbook" means an electronic  
24 textbook that is available for downloading from the Internet at no

1 charge to a student and without requiring the purchase of an unlock  
2 code, membership, or other access or use charge, except for a charge  
3 to order an optional printed copy of all or part of the  
4 instructional material. The term includes  
5 state-developed open-source instructional material; and

6 (5) "Public domain textbook" means any literary work  
7 which is no longer under copyright protection or has failed to meet  
8 the requirements for copyright protection.

9 (b) The board shall establish and administer a pilot project  
10 at Texas A&M University to provide students with access to textbook  
11 pricing information and to encourage the adoption of more  
12 affordable textbook options. The board shall designate a department  
13 of the institution to administer the program.

14 (c) The pilot program established by subsection (b) shall  
15 require:

16 (1) each faculty member in the department to calculate  
17 the total estimated cost of all textbooks and materials for each  
18 course the faculty member teaches and to send the estimated cost to  
19 the head of the department administering the program;

20 (2) the department to prominently display the  
21 estimated costs submitted under Subdivision (1) in the course  
22 description and on the syllabus for the course; and

23 (3) the department to use open source, public domain,  
24 or electronic textbooks where possible.

25 (d) The department shall keep a record of the textbook costs  
26 for the duration of the program.

27 (e) This section expires January 31, 2019.

1       Sec. 61.0765. STUDY ON THE USE OF OPEN SOURCE, PUBLIC DOMAIN  
2 AND ELECTRONIC TEXTBOOKS. (a) In this section "electronic  
3 textbook", "open source text book", and "public domain textbook"  
4 have the meanings assigned by Section 61.0764(a).

5       (b) The board shall conduct a study and recommend policies  
6 regarding the use of open source, public domain, and electronic  
7 textbooks in higher education in this state and in other states. The  
8 study and policy recommendations must include a specific focus on  
9 the results of pilot program implemented by Texas A&M University  
10 under Section 61.0764 with respect to the use of open source, public  
11 domain, and electronic textbooks and must address methods for  
12 encouraging the use of open source, public domain, or electronic  
13 textbooks at public or private institutions of higher education in  
14 this state.

15       (c) The department designated under Section 61.0764 shall  
16 assist the board in performing the board's duties under Subsection  
17 (a). The board shall establish procedures to assist a department in  
18 complying with this subsection.

19       (d) The board may solicit and accept gifts and grants from  
20 any public or private source to conduct the study and develop policy  
21 recommendations under this section.

22       (e) Not later than December 1, 2016, the board shall make an  
23 initial report and recommendations based on the study to the  
24 governor, lieutenant governor, speaker of the house of  
25 representatives, and presiding officer of each legislative  
26 standing committee with primary jurisdiction over higher  
27 education. The board may include recommendations in the study to

1 expand the pilot program created under Section 61.0764 to the  
2 entire Texas A&M University System or to each institution of higher  
3 education. This subsection expires January 31, 2017.

4         SECTION 2. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2015.