

Amend SB 1784 (house committee report) as follows:

(1) On page 1, line 10, strike "permits the" and substitute "allows for".

(2) On page 1, line 11, strike "of the resource".

(3) Strike page 1, line 21, through page 2, line 18.

(4) On page 3, lines 2-3, strike "(a) A state-developed open-source instructional material" and substitute "Instructional material purchased under this subchapter".

(5) Strike page 3, lines 10-16, and substitute the following:

(3) is licensed to the state under a license that:

(A) grants the state unlimited authority to modify, delete, combine, or add content;

(B) permits the free use and repurposing of the material by any person or entity; and

(C) is for a term of use acceptable to the commissioner to ensure a useful life of the material.

(6) On page 3, lines 18-19, strike "(d), (e), and (f)" and substitute "(d), (e), (f), (g), (h), and (i)".

(7) On page 3, lines 20-21, strike "state-developed open-source instructional materials" and substitute "instructional material purchased by the state under this subchapter".

(8) On page 3, line 23, strike "a state-developed open-source" and substitute "the".

(9) On page 3, line 25, between "person" and "~~te~~", insert "or entity".

(10) On page 4, line 3, strike "A" and substitute "The terms of a".

(11) On page 4, line 5, strike "unless exempted by the commissioner,".

(12) On page 4, line 6, strike "a state-developed open-source" and substitute "the".

(13) Strike page 4, lines 18-19, and substitute the following:

(E) to the extent reasonably practicable, must provide in any product or derivative material a uniform resource identifier or hyperlink through which a person may obtain the

material free of charge;

(14) On page 4, line 27, between "license" and "~~The~~", insert the following:

; and

(3) may include any additional terms determined by the commissioner

(15) On page 5, between lines 6 and 7, insert the following:

(d) The commissioner may exempt a license under this section from including one or more of the requirements under Subsection (c)(1).

(16) On page 5, line 7, strike "(d)" and substitute "(e)".

(17) On page 5, line 8, strike "Subsection" and substitute "Subsections (c)(1)(E) and".

(18) On page 5, line 9, strike "(e)" and substitute "(f)".

(19) On page 5, line 14, strike "(f)" and substitute "(g)".

(20) On page 5, between lines 15 and 16, insert the following:

(h) The agency may recover costs of development and any other damages from a person or entity that uses instructional material purchased by the state under this subchapter for commercial purposes in a manner that violates a requirement of a license under this section.

(i) The attorney general shall represent the agency in an action brought under Subsection (h) and may recover reasonable expenses incurred in obtaining relief, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs.

(21) On page 5, between lines 22 and 23, add the following appropriately numbered SECTION to the bill:

SECTION _____. The commissioner of education may apply the changes in law made by this Act to instructional material purchased by the state under Subchapter B-1, Chapter 31, Education Code, regardless of whether the instructional material was purchased before, on, or after the effective date of this Act.

(22) Renumber SECTIONS of the bill accordingly.