

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 27, 2017**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **SB1784** by Taylor, Larry (Relating to open-source instructional material for public schools.), **Conference Committee Report**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Education Code to modify the definition of an open-source instructional material and specify that a state-developed open-source instructional material must be irrevocably owned by or licensed to the state except as provided under Section 31.0711. The bill would add Section 31.0711, Education Code to specify that a state-developed open-source instructional material may include content not owned by the state and would specify certain preexisting rights for such content. The bill would specify a license to the state must grant the state unlimited authority to modify, delete, combine, or add content; permit the free use and repurposing of the resource by any person unless the Commissioner of Education waives the requirement under certain provisions as specified by the bill; and satisfy other requirements. The bill would take place immediately if passed within necessary voting margins, or September 1, 2017.

The Texas Education Agency (TEA) indicates it could use existing resources to address costs associated with provisions of the bill.

**Local Government Impact**

TEA estimates that school districts, open-enrollment charter schools, and other educational entities that receive an instructional materials allotment (IMA), in accordance with Section 31.0211, Education Code, may experience cost savings as a result of selecting open educational resources instead of other instructional materials.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** UP, AW, THo, AM