

## **BILL ANALYSIS**

C.S.H.B. 1933  
By: Howard  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the high cost of college textbooks and the lack of familiarity of some students with more affordable textbook purchase options. C.S.H.B. 1933 seeks to address these concerns by authorizing a public institution of higher education to establish a textbook affordability program under which the cost of access to course materials may be included in tuition or course fees.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 1933 amends the Education Code to authorize the governing board of a public institution of higher education to establish a textbook affordability program in accordance with federal regulations under which the institution may include the cost of any textbooks or other materials required for a course in the tuition or required fees charged by the institution for the course.

C.S.H.B. 1933 requires such a program to permit a student to opt out of the program and to provide students a means of obtaining textbooks or materials not later than the first day of the semester or other term in which the textbooks or materials are required. The bill requires an institution, for each course included in such a program, to include in the course catalog the cost of the textbooks or other materials included in the tuition or required fees charged for the course and a description of the opt-out provision.

C.S.H.B. 1933 requires the Texas Higher Education Coordinating Board, not later than November 1 of each even-numbered year, to submit to the standing legislative committees with primary jurisdiction over higher education a report on the aggregate savings to students resulting from textbook affordability programs and to submit the initial report not later than November 1, 2020. The bill requires the coordinating board to adopt rules for the administration of a textbook affordability program, including rules that ensure each program complies with state and federal law regarding confidentiality of student educational information. The bill applies beginning with the 2019 fall semester.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

## **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1933 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include as a condition of an authorization to establish a textbook affordability program a requirement for an institution to enter into an agreement with a book publisher or other entity to make textbooks or materials available to students at below competitive market rates.

The substitute changes the day of the semester or term by which a program must provide a student a means of obtaining textbooks or materials from the seventh day of the applicable semester or term to the first day of that semester or term. The substitute includes a requirement for the inclusion of certain information in the course catalog for each course included in a textbook affordability program.

The substitute does not include a provision exempting the cost of textbooks or other materials included in an institution's charge for tuition or required fees from certain statutory limitations on fees.

The substitute changes an authorization for the coordinating board to adopt certain rules to a requirement to adopt the rules and includes a specification that those rules include rules that ensure compliance with state and federal law regarding confidentiality of student information. The substitute includes a requirement for the coordinating board to submit a certain biennial report to the appropriate standing legislative committees.