

## **BILL ANALYSIS**

H.B. 3730  
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Culture, Recreation & Tourism  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that certain inappropriate images have been discovered on public school online library resources. These interested parties also contend that these images are inappropriate and harmful to the students who are able to access these online library resources from almost any electronic device. H.B. 3730 seeks to remedy this issue by requiring the Texas Library and Archives Commission to oversee certain requirements for online library resources for primary and secondary schools.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3730 amends the Government code to require the Texas Library and Archives Commission to use funds collected from school districts to purchase online library resources for primary and secondary schools that have adopted Internet safety policies and other requirements for certification under 47 U.S.C. Sections 245(h)(5)(B) and (C) and requires the Commission to only use vendors that certify compliance with 47 U.S.C. Sections 245(h)(5).

If the vendor fails to comply with federal law, H.B. 3730 allows the Commission to consider those actions by a vendor as a breach of contract, and if the legislature finds that the vendor is failing to substantially comply with federal requirements, the Commission may without further payments to the vendor.

H.B. 3730 requires the Legislative Budget Board and the office of the governor to report on any issues related to vendor compliance with technology protection measures required by 47 U.S.C. Sections 245(h)(5) not later than December 1 of each fiscal year.

### **EFFECTIVE DATE**

September 1, 2019.