

By: Howard

H.B. No. 1933

Substitute the following for H.B. No. 1933:

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C.S.H.B. No. 1933

A BILL TO BE ENTITLED

1 AN ACT

2 relating to authorizing a public institution of higher education to  
3 include certain textbook costs in the institution's charge for  
4 tuition or required fees.

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

6 SECTION 1. Subchapter A, Chapter 54, Education Code, is  
7 amended by adding Section 54.019 to read as follows:

8 Sec. 54.019. INCLUSION OF CERTAIN TEXTBOOK COSTS IN TUITION  
9 OR FEES CHARGE. (a) In this section, "coordinating board" means  
10 the Texas Higher Education Coordinating Board.

11 (b) The governing board of an institution of higher  
12 education may establish in accordance with this section and 34  
13 C.F.R. Section 668.164(c)(2)(i) a textbook affordability program  
14 under which the institution may include the cost of any textbooks or  
15 other materials required for a course in the tuition or required  
16 fees charged by the institution for the course.

17 (c) A textbook affordability program established under this  
18 section must:

19 (1) permit a student to opt out of the program,  
20 including having the cost of textbooks or materials included in the  
21 tuition or required fees charged to the student; and

22 (2) provide a student a means of obtaining textbooks  
23 or materials not later than the first day of the semester or other  
24 term in which the textbooks or materials are required.

1       (d) For each course included in a textbook affordability  
2 program established by an institution of higher education under  
3 this section, the institution shall include in the course catalog  
4 under Section 54.0051:

5           (1) the cost of the textbooks or other materials  
6 included in the tuition or required fees charged for the course  
7 under the program; and

8           (2) a description of the opt-out provision under  
9 Subsection (c).

10       (e) Not later than November 1 of each even-numbered year,  
11 the coordinating board shall submit to the standing legislative  
12 committees with primary jurisdiction over higher education a report  
13 on the aggregate savings to students resulting from textbook  
14 affordability programs established under this section.

15       (f) The coordinating board shall adopt rules for the  
16 administration of a textbook affordability program established  
17 under this section, including rules that ensure that each program  
18 complies with state and federal law regarding confidentiality of  
19 student educational information, including the Family Educational  
20 Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).

21       SECTION 2. The change in law made by this Act applies  
22 beginning with the 2019 fall semester.

23       SECTION 3. Not later than November 1, 2020, the Texas Higher  
24 Education Coordinating Board shall submit the initial report  
25 required under Section 54.019, Education Code, as added by this  
26 Act.

27       SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2019.