

By: Menéndez

S.B. No. 1536

A BILL TO BE ENTITLED

AN ACT

1
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) The governing board of an institution of
10 higher education may establish in accordance with this section a
11 textbook affordability program under which the institution may
12 include the cost of any textbooks or other materials required for a
13 course in the tuition or required fees charged by the institution
14 for the course. The institution may establish the program only if,
15 in accordance with 34 C.F.R. Section 668.164(c)(2), the
16 institution:

17 (1) enters into an agreement with a book publisher or
18 other entity to make those textbooks or materials available to
19 students at below competitive market rates;

20 (2) provides students a means of obtaining those
21 textbooks or materials not later than the seventh day of the
22 semester or other term in which the textbooks or materials are
23 required; and

24 (3) adopts a policy under which a student may opt out

1 of having the cost of those textbooks or materials included in the
2 tuition or required fees charged to the student.

3 (b) The cost of textbooks or other materials included in an
4 institution of higher education's charge for tuition or required
5 fees under Subsection (a) is not subject to a limitation placed on
6 the amount of a fee under this chapter or any other provision of
7 this code.

8 (c) The Texas Higher Education Coordinating Board may adopt
9 rules for the administration of a textbook affordability program
10 established under this section.

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

13 SECTION 3. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2019.