

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Blanco, Guillen

H.B. No. 391

A BILL TO BE ENTITLED

AN ACT

relating to student access to public school instructional materials and technology.

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

SECTION 1. Section 26.006, Education Code, is amended by amending Subsection (c) and adding Subsections (d) and (e) to read as follows:

(c) A student's parent is entitled to request that the school district or open-enrollment charter school the student attends allow the student to take home any instructional materials used by the student. Subject to the availability of the instructional materials, the district or school shall honor the request. A student who takes home instructional materials must return the instructional materials to school at the beginning of the next school day if requested to do so by the student's teacher. A school district or open-enrollment charter school must provide the instructional materials to the student in printed book format if the student does not have reliable access to technology at the student's home. In this subsection, "instructional material" has the meaning assigned by Section 31.002.

(d) A school district or open-enrollment charter school must document each parental request made under Subsection (c) to allow a student to take home instructional material used by the student that the district or school denies. The documentation must

1 include each reason for denying the request. Not later than the  
2 30th day after the date the district or school receives the request,  
3 the district or school must report to the agency that the request  
4 has been denied and each reason for the denial.

5 (e) Not later than September 1 of each year, the agency  
6 shall submit an annual report to the legislature that includes the  
7 number of parental requests made under Subsection (c) to allow a  
8 student to take home instructional material used by the student  
9 that each school district and open-enrollment charter school denied  
10 and the reasons for denial.

11 SECTION 2. Section 26.006, Education Code, as amended by  
12 this Act, applies beginning with the 2019-2020 school year.

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.

# ADOPTED

MAY 27 2019

*Lataj Spaw*  
Secretary of the Senate

By: *Zaffirini*

H.B. No. 391

Substitute the following for H.B. No. 391:

By: *Beverly Powell*

C.S. H.B. No. 391

## A BILL TO BE ENTITLED

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### AN ACT

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6 amending Subsection (c) and adding Subsection (d) to read as  
7 follows:

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9 school district or open-enrollment charter school the student  
10 attends allow the student to take home any instructional materials  
11 used by the student. Subject to the availability of the  
12 instructional materials, the district or school shall honor the  
13 request. A student who takes home instructional materials must  
14 return the instructional materials to school at the beginning of  
15 the next school day if requested to do so by the student's teacher.  
16 A school district or open-enrollment charter school must provide  
17 the instructional materials to the student in printed format if the  
18 student does not have reliable access to technology at the  
19 student's home. In this subsection, "instructional material" has  
20 the meaning assigned by Section 31.002.

21 (d) The requirement under Subsection (c) to provide to a  
22 student instructional materials in a printed format does not  
23 require a school district or open-enrollment charter school to  
24 purchase printed copies of instructional materials that the

1 district or school otherwise would not purchase. A district or  
2 school may comply with Subsection (c) by providing the student a  
3 printout of the relevant electronic instructional materials.

4 SECTION 2. Section 26.006, Education Code, as amended by  
5 this Act, applies beginning with the 2019-2020 school year.

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

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 21, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB391** by Blanco (Relating to student access to public school instructional materials and technology.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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It is assumed that the provisions of the bill relating to student access to instructional materials could be absorbed using existing resources.

**Local Government Impact**

Some administrative costs would be incurred to produce instructional materials at parental request. These costs would vary from district to district depending on how many requests were received and the amount of instructional materials that were printed.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** WP, SD, THo, HL, AM

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 14, 2019**

**TO:** Honorable Larry Taylor, Chair, Senate Committee on Education

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB391** by Blanco (Relating to student access to public school instructional materials and technology.), **Committee Report 2nd House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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It is assumed that the provisions of the bill relating to student access to instructional materials could be absorbed using existing resources.

**Local Government Impact**

Some administrative costs would be incurred to produce instructional materials at parental request. These costs would vary from district to district depending on how many requests were received and the amount of instructional materials that were printed.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** WP, THo, HL, AM

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 8, 2019**

**TO:** Honorable Larry Taylor, Chair, Senate Committee on Education

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB391** by Blanco (Relating to student access to public school instructional materials and technology.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

It is assumed that the provisions of the bill relating to student access to instructional materials could be absorbed using existing resources.

**Local Government Impact**

Some administrative costs would be incurred to produce instructional materials in book format at parental request or report denials and the reason for the denials. These costs would vary from district to district depending on how many requests were received and the amount of instructional materials that were printed or the number of denials that had to be reported.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** WP, HL, AM, THo

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

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**February 23, 2019**

**TO:** Honorable Dan Huberty, Chair, House Committee on Public Education

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** **HB391** by Blanco (Relating to student access to public school instructional materials and technology.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

It is assumed that the provisions of the bill relating to student access to instructional materials could be absorbed using existing resources.

**Local Government Impact**

Some administrative costs would be incurred to produce instructional materials in book format at parental request or report denials and the reason for the denials. These costs would vary from district to district depending on how many requests were received and the amount of instructional materials that were printed or the number of denials that had to be reported.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** WP, HL, AM, THo