

1-1 By: Stucky (Senate Sponsor - LaMantia) H.B. No. 2177
 1-2 (In the Senate - Received from the House May 3, 2023;
 1-3 May 4, 2023, read first time and referred to Subcommittee on Higher
 1-4 Education; May 18, 2023, reported favorably from Committee on
 1-5 Education by the following vote: Yeas 11, Nays 1; May 18, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | | | X | |
| 1-13 | X | | | |
| 1-14 | X | | | |
| 1-15 | X | | | |
| 1-16 | X | | | |
| 1-17 | X | | | |
| 1-18 | X | | | |
| 1-19 | X | | | |
| 1-20 | | X | | |
| 1-21 | X | | | |

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to establishing a digital course materials pilot program.
 1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-26 SECTION 1. Subchapter C, Chapter 61, Education Code, is
 1-27 amended by adding Section 61.0667 to read as follows:
 1-28 Sec. 61.0667. DIGITAL COURSE MATERIALS PILOT PROGRAM. (a)
 1-29 In this section:
 1-30 (1) "Digital course material" means a digital
 1-31 textbook, supplemental material, or open educational resource, as
 1-32 those terms are defined by Section 51.451.
 1-33 (2) "Eligible institution" means a public junior
 1-34 college, public technical institute, or public state college.
 1-35 (b) The board shall establish a pilot program under which
 1-36 the board awards grants to participating eligible institutions to
 1-37 provide financial assistance to students for the cost of accessing
 1-38 digital course materials.
 1-39 (c) The board shall adopt rules necessary to administer the
 1-40 pilot program, including rules to:
 1-41 (1) establish a methodology for selecting eligible
 1-42 institutions to participate in the pilot program and allocating
 1-43 money appropriated for the purpose of the pilot program among those
 1-44 institutions that, to the greatest extent possible, results in a
 1-45 distribution of grant awards that:
 1-46 (A) reflects the varied geography and unique
 1-47 institutional missions in this state; and
 1-48 (B) serves students who meet financial need
 1-49 requirements as defined by the board for the Texas Educational
 1-50 Opportunity Grant Program under Subchapter P, Chapter 56, and other
 1-51 diverse student populations that characterize higher education in
 1-52 this state; and
 1-53 (2) establish criteria that participating
 1-54 institutions must use to evaluate digital course materials that may
 1-55 be accessed using grants awarded under the pilot program, which may
 1-56 include criteria regarding:
 1-57 (A) access to relevant technical support;
 1-58 (B) adherence to accessibility standards for
 1-59 students with disabilities;
 1-60 (C) positive impact on student outcomes;
 1-61 (D) immediate access and availability of the

2-1 materials to all students enrolled at the institution;
2-2 (E) faculty access to resources and training
2-3 materials;
2-4 (F) subscription-based models;
2-5 (G) inclusive-access models; and
2-6 (H) supplemental resources that may be provided
2-7 to assist students with career readiness workforce development.

2-8 (d) In developing the rules adopted under Subsection (c),
2-9 the board shall solicit input from publishers, campus bookstore
2-10 operators, and other relevant industry representatives.

2-11 (e) This section does not affect any authority granted by an
2-12 eligible institution to a faculty member to select course materials
2-13 for courses taught by the faculty member.

2-14 (f) Not later than September 1, 2026, the board shall submit
2-15 to the governor, the lieutenant governor, the speaker of the house
2-16 of representatives, and the presiding officer of each legislative
2-17 standing committee with primary jurisdiction over higher education
2-18 a report that evaluates the effectiveness of the pilot program in
2-19 improving student outcomes. The report must include a
2-20 recommendation regarding whether the pilot program should be
2-21 continued, expanded, or terminated.

2-22 (g) This section expires September 1, 2027.

2-23 SECTION 2. (a) The Texas Higher Education Coordinating
2-24 Board shall adopt rules to administer the pilot program established
2-25 under Section 61.0667, Education Code, as added by this Act, as soon
2-26 as practicable after the effective date of this Act.

2-27 (b) The Texas Higher Education Coordinating Board shall
2-28 award initial grants under Section 61.0667, Education Code, as
2-29 added by this Act, beginning with the 2024 spring semester.

2-30 SECTION 3. This Act takes effect immediately if it receives
2-31 a vote of two-thirds of all the members elected to each house, as
2-32 provided by Section 39, Article III, Texas Constitution. If this
2-33 Act does not receive the vote necessary for immediate effect, this
2-34 Act takes effect September 1, 2023.

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