

By: Leo Wilson

H.B. No. 100

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the purchase, adoption, and use of instructional
3 materials by public schools.

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

5 SECTION 1. Section 31.0211(f), Education Code, is amended
6 to read as follows:

7 (f) Funds allotted under this section may not be used to
8 purchase instructional material that:

9 (1) contains obscene or harmful content or would
10 otherwise cause the school district to which the funds were
11 allotted to be unable to submit the certification required under
12 Section 31.1011(a)(1)(B); or

13 (2) is on the list of rejected instructional materials
14 maintained by the State Board of Education under Section 31.022(a).

15 SECTION 2. Subchapter B, Chapter 31, Education Code, is
16 amended by adding Section 31.024 to read as follows:

17 Sec. 31.024. LIMITATION ON THE ADOPTION AND USE OF
18 INSTRUCTIONAL MATERIAL. A school district may not adopt or
19 otherwise use instructional material included on the list of
20 rejected instructional materials maintained by the State Board of
21 Education under Section 31.022(a).

22 SECTION 3. Section 31.073, Education Code, is amended by
23 adding Subsection (b) and amending Subsection (c) to read as
24 follows:

1 (b) A school district or open-enrollment charter school may
2 only adopt or otherwise use an open education resource
3 instructional material that is not included on the list of rejected
4 instructional materials maintained by the State Board of Education
5 under Section 31.022(a).

6 (c) A school district or open-enrollment charter school may
7 adopt open education resource instructional material that complies
8 with Subsection (b) at any time.

9 SECTION 4. Section 31.106, Education Code, is amended to
10 read as follows:

11 Sec. 31.106. USE OF LOCAL FUNDS. In addition to any
12 instructional material selected under this chapter, a school
13 district or open-enrollment charter school may use local funds to
14 purchase any instructional materials not included on the list of
15 rejected instructional materials maintained by the State Board of
16 Education under Section 31.022(a).

17 SECTION 5. This Act applies beginning with the 2025-2026
18 school year.

19 SECTION 6. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2025.