1-1 By: Leo Wilson, et al. (Senate Sponsor - Middleton) H.B. No. 100 1-2 (In the Senate - Received from the House April 16, 2025; 1-3 April 24, 2025, read first time and referred to Committee on 1-4 Education K-16; May 25, 2025, reported favorably by the following 1-5 vote: Yeas 9, Nays 0; May 25, 2025, sent to printer.)

1-6	COMMITTEE VOTE
1-7	Yea Nay Absent PNV
1-8	Creighton X
1-9	Campbell X
1-10	Bettencourt X
1-11	Hagenbuch X
1-12	Hinojosa of Nueces X
1-13	King X
1-14	Menéndez X
1-15	Middleton X
1-16	Parker X
1-17	Paxton X
1-18	West X
1-19	A BILL TO BE ENTITLED
1-20	AN ACT
1-21	relating to the purchase, adoption, and use of instructional
1-22	materials by public schools.
1-23	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-24	SECTION 1. Section 31.0211(f), Education Code, is amended
1-25	to read as follows:
1-26	(f) Funds allotted under this section may not be used to
1-27	purchase instructional material that:
1-28	(1) contains obscene or harmful content or would
1-29	otherwise cause the school district to which the funds were
1-30	allotted to be unable to submit the certification required under
1-31	Section 31.1011(a)(1)(B); or
1-32 1-33	(2) is on the list of rejected instructional materials maintained by the State Board of Education under Section 31.022(a).
1-33 1 - 34	SECTION 2. Section 31.022, Education Code, is amended by
1-35	adding Subsection (b-1) to read as follows:
1-36	(b-1) Not later than the 45th day before the date the State
1-37	Board of Education intends to add an instructional material to the
1-38	list of rejected instructional materials under Subsection (a), the
1-39	board shall add the material to a list of proposed rejected
1-40	instructional materials and issue a proclamation requesting the
1-41	revision of the applicable instructional material before the end of
1-42	the 45-day period.
1-43	SECTION 3. Subchapter B, Chapter 31, Education Code, is
1-44	amended by adding Section 31.024 to read as follows:
1-45	Sec. 31.024. LIMITATION ON THE ADOPTION AND USE OF
1-46	INSTRUCTIONAL MATERIAL. A school district may not adopt or
1-47	otherwise use instructional material included on the list of
1-48	rejected instructional materials maintained by the State Board of
1-49	Education under Section 31.022(a).
1-50	SECTION 4. Section 31.073, Education Code, is amended by
1-51	adding Subsection (b) and amending Subsection (c) to read as
1-52	follows:
1-53	(b) A school district or open-enrollment charter school may
1-54	only adopt or otherwise use an open education resource
1 - 55 1 - 56	instructional material that is not included on the list of rejected
1 - 56 1 - 57	instructional materials maintained by the State Board of Education under Section 31.022(a).
1-57	(c) A school district or open-enrollment charter school may
1-58 1 - 59	adopt open education resource instructional material that complies
1-60	with Subsection (b) at any time.
1-61	SECTION 5. Section 31.106, Education Code, is amended to

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2-1 read as follows:
2-2 Sec. 31.106. USE OF LOCAL FUNDS. In addition to any
2-3 instructional material selected under this chapter, a school
2-4 district or open-enrollment charter school may use local funds to
2-5 purchase any instructional materials <u>not included on the list of</u>
2-6 rejected instructional materials maintained by the State Board of
2-7 Education under Section 31.022(a).

2-7 Education under Section 31.022(a).
2-8 SECTION 6. This Act applies beginning with the 2025-2026
2-9 school year.

2-10 SECTION 7. This Act takes effect immediately if it receives 2-11 a vote of two-thirds of all the members elected to each house, as 2-12 provided by Section 39, Article III, Texas Constitution. If this 2-13 Act does not receive the vote necessary for immediate effect, this 2-14 Act takes effect September 1, 2025.

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