

By: Middleton

S.B. No. 451

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.