

SENATE AMENDMENTS
2nd Printing

By: Leo Wilson, Buckley, Dutton,
A. Davis of Dallas, Plesa, et al.

H.B. No. 100

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

SECTION 2. Section 31.022, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Not later than the 45th day before the date the State Board of Education intends to add an instructional material to the list of rejected instructional materials under Subsection (a), the board shall add the material to a list of proposed rejected instructional materials and issue a proclamation requesting the revision of the applicable instructional material before the end of the 45-day period.

SECTION 3. Subchapter B, Chapter 31, Education Code, is

amended by adding Section 31.024 to read as follows:

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

SECTION 4. Section 31.073, Education Code, is amended by adding Subsection (b) and amending Subsection (c) to read as follows:

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

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

SECTION 5. Section 31.106, Education Code, is amended to read as follows:

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

SECTION 6. This Act applies beginning with the 2025-2026 school year.

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

ADOPTED

MAY 27 2025

Lately Spaw
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

Mayer Middleton

1 Amend H.B. 100 (senate committee report) as follows:

2 (1) In SECTION 6 of the bill, providing a school year
3 of applicability (page 2, line 8), strike "2025-2026" and
4 substitute "2026-2027".

5 (2) Add the following appropriately number SECTION to
6 the bill and renumber subsequent SECTIONS of the bill
7 accordingly:

8 SECTION ____ . The change in law made by this Act applies
9 to instructional materials placed or maintained on the list
10 of rejected materials by the State Board of Education under
11 Section 31.022(a), Education Code, on or after the school
12 year in which this Act applies.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 28, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB100 by Leo Wilson (Relating to the purchase, adoption, and use of instructional materials by public schools.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

School districts currently using a product on the rejected list would be required to comply with the limitations on the use of such products.

Source Agencies: 701 Texas Education Agency

LBB Staff: JMc, NC, JPE, SL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 7, 2025

TO: Honorable Brandon Creighton, Chair, Senate Committee on Education K-16

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB100 by Leo Wilson (Relating to the purchase, adoption, and use of instructional materials by public schools.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

School districts currently using a product on the rejected list would be required to comply with the limitations on the use of such products.

Source Agencies: 701 Texas Education Agency

LBB Staff: JMc, NC, JPE, SL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 24, 2025

TO: Honorable Brad Buckley, Chair, House Committee on Public Education

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB100 by Leo Wilson (Relating to the purchase, adoption, and use of instructional materials by public schools.), **As Introduced**

No significant fiscal implication to the State is anticipated.

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Local Government Impact

School districts currently using a product on the rejected list would be required to comply with the limitations on the use of such products.

Source Agencies: 701 Texas Education Agency

LBB Staff: JMc, JPE, SL