

House Bill 100
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION	SENATE VERSION (IE)	CONFERENCE
<p>SECTION 1. Section 31.0211(f), Education Code, is amended to read as follows:</p> <p>(f) Funds allotted under this section may not be used to purchase instructional material that:</p> <p><u>(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</u></p> <p><u>(2) is on the list of rejected instructional materials maintained by the State Board of Education under Section 31.022(a).</u></p>	<p>SECTION 1. Same as House version.</p>	
<p>SECTION 2. Section 31.022, Education Code, is amended by adding Subsection (b-1) to read as follows:</p> <p><u>(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.</u></p>	<p>SECTION 2. Same as House version.</p>	
<p>SECTION 3. Subchapter B, Chapter 31, Education Code, is amended by adding Section 31.024 to read as follows:</p> <p><u>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).</u></p>	<p>SECTION 3. Same as House version.</p>	

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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 4. Same as House version.

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 5. Same as House version.

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

SECTION 6. This Act applies beginning with the **2026-2027 school year.** [FA1(1)]

No equivalent provision.

SECTION __.The change in law made by this Act applies to instructional materials placed or maintained on the list of rejected materials by the State Board of Education under

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Section 31.022(a), Education Code, on or after the school year in which this Act applies. [FA1(2)]

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

SECTION 7. Same as House version.