

BILL ANALYSIS

Senate Research Center

H.B. 2721
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Education
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Engrossed

DIGEST

Currently, TexShare is a cooperative library resource-sharing program designed to facilitate the sharing of a variety of library resources. The intent of the TexShare program is to increase the intellectual productivity of students and faculty at publicly funded institutions by emphasizing access to information, rather than ownership of documents and other information sources. This bill adds the TexShare library consortium to the statutes and transfers the responsibility of the TexShare program from the Higher Education Coordinating Board to the Texas State Library and Archives Commission.

PURPOSE

As proposed, H.B. 2721 adds the TexShare library consortium to the statutes and transfers the responsibility of the TexShare program from the Higher Education Coordinating Board to the Texas State Library and Archives Commission.

RULEMAKING AUTHORITY

Rulemaking authority is granted to Texas State Library and Archives Commission in SECTION 1 (Section 441.205, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 441, Government Code, by adding Subchapter L, as follows:

SUBCHAPTER L. TEXSHARE LIBRARY CONSORTIUM

Sec. 441.201. DEFINITION. Defines "institution of higher education."

Sec. 441.202. CREATION OF CONSORTIUM. Requires the Texas State Library and Archives Commission (commission) to establish and maintain the TexShare library consortium (consortium) as a resource-sharing consortium operated as a program within the commission for libraries at institutions of higher education.

Sec. 441.203. FINDINGS; PURPOSE AND METHODS. Provides that the legislature finds it necessary to assist academic libraries at public and private or independent institutions of higher education to promote the public good by achieving purposes for the public through certain methods.

Sec. 441.204. MEMBERSHIP; FEES. Provides that membership in the consortium is open to all institutions of higher education. Authorize the director and librarian to establish categories of consortium services and assess different fees to members based on the categories of consortium services chosen by a member.

Sec. 441.205. ADMINISTRATION; RULES. Sets forth responsibilities of the director and the librarian. Authorizes the commission to adopt rules to govern the operation of the consortium.

Sec. 441.206. ADVISORY BOARD. Requires the commission to appoint a nine-member advisory board. Sets forth the composition and requirements of the members of the advisory

board. Provides that Article 6252-33, V.T.C.S., does not apply to the composition of the advisory board. Requires the advisory board to meet regularly regarding consortium programs and plans at the call of the advisory board's chairman or of the director and librarian. Sets forth requirements for members serving on the advisory board. Requires the advisory board to elect a chairman, vice chairman, and secretary. Authorizes the advisory board to recommend to the commission that the consortium enter into cooperative projects with entities other than institutions of higher education.

Sec. 441.207. **ROLE AND SCOPE OF CONSORTIUM.** Requires the consortium to engage in activities designed to facilitate library resource sharing. Sets forth requirements for the activities.

Sec. 441.208. **ACCEPTANCE AND USE OF GIFTS OR GRANTS.** Authorizes the commission to accept grants of money, property, or services, for purposes established by the commission and under applicable state laws.

Sec. 441.209. **GROUP PURCHASING AGREEMENTS.** Authorizes the commission to enter into certain group purchasing agreements on behalf of members of the consortium, for purposes of administering this subchapter.

Sec. 441.210. **GRANTS TO MEMBER INSTITUTIONS.** Authorizes the commission to grant money to institutions of higher education, to achieve the purposes of this subchapter. Requires the commission to ensure that the commission or institutions in the consortium receive benefits that are sufficient to constitute fair value in return for any grant made by the commission.

SECTION 2. Requires the Texas State Library and Archives Commission to establish and maintain the TexShare library consortium, as required by this Act, to the extent of available appropriations.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.