

BILL ANALYSIS

Senate Research Center
76R6094 JRD-F

H.B. 1433
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Education
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Engrossed

DIGEST

The TexShare library consortium is a cooperative library resource-sharing program designed to facilitate the sharing of a variety of library resources such as books, journals, technical reports, databases, and staff expertise among participating universities, four-year colleges, community colleges, and health institutions in Texas. The intent of the TexShare program is to increase the intellectual productivity of students and faculty at these institutions by emphasizing access to information rather than ownership of documents and other information sources. The TexShare program accomplishes this by facilitating joint purchase/license agreements of digital information resources for libraries in institutions of higher education and sharing those and other library resources among all participating libraries. Public libraries across the state have shown interest in becoming participants in the TexShare library resource-sharing program. H.B. 1433 would expand the TexShare library consortium.

PURPOSE

As proposed, H.B. 1433 expands the TexShare library consortium.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 441.201, 441.202, 441.203, 441.204, 441.206, and 441.209, Government Code, as added by Section 1, Chapter 250, Acts of the 75th Legislature, Regular Session, 1997, as follows:

Sec. 441.201. New heading: DEFINITIONS. Defines “commission,” and “public library.” Makes conforming changes.

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

Sec. 441.203. FINDINGS; PURPOSE AND METHODS. Provides that the legislature finds that it is necessary to assist libraries at public and private or independent institutions of higher education and public libraries to promote the public good by achieving the following public purposes through the following methods: to promote the future well-being of the citizenry, enhance quality teaching and research excellence at institutions of higher education through the efficient exchange of information and the sharing of library resources, and improve educational resources in all communities; and to maximize the effectiveness of library expenditures by enabling libraries to share staff expertise and to share library resources in print and in an electronic form.

Sec. 441.204. MEMBERSHIP; FEES. Provides that membership in the consortium is open to all institutions of higher education and to all public libraries that are members of the state library system. Authorizes the director and librarian to establish categories of consortium services and assess different fees to members for different categories, rather than based on the categories, of consortium services.

Sec. 441.206. ADVISORY BOARD. Requires the commission to appoint an 11-member, rather than nine-member, advisory board to advise the commission on matters relating to the consortium.

Requires at least two members to be representatives of the general public, rather than public members, at least two members must be affiliated with a four-year public university in the consortium, at least two members must be affiliated with a public community college in the consortium, at least two members must be affiliated with a private institution of higher education in the consortium, and at least two members must be affiliated with a public library in the consortium. Provides that Chapter 2110, rather than Article 6252-33, V.T.C.S., does not apply to the composition of the advisory board. Requires the advisory board to elect a chairman and a vice-chairman. Authorizes the advisory board to recommend to the commission that the consortium enter into cooperative projects with entities other than public libraries or institutions of higher education. Deletes text requiring the advisory board to elect a secretary.

Sec. 441.209. GROUP PURCHASING AGREEMENTS. Authorizes the commission, for the purposes of administering this subchapter, to enter into group purchasing agreements on behalf of members of the consortium under which materials or services may be obtained at discount rates by two or more libraries if the commission determines that the agreements offer the most cost-effective method of purchasing library materials or services for members of the consortium. Deletes text authorizing the commission to enter into group purchasing agreements on behalf of members of the consortium that offer purchasing services at discount rates to two or more libraries at institutions of higher education.

SECTION 2. Amends Section 2155.139(a), Government Code, to provide that Section 2155.061 does not apply to an acquisition under certain conditions including if the acquisition is for a library or resource-sharing program operated by the Texas State Library and Archives Commission or the goods or services acquired are serial and journal subscriptions, including electronic databases and information products.

SECTION 3. Requires the Texas State Library and Archives Commission to phase in the expansion of the TexShare library consortium to include public libraries only to the extent that the commission may efficiently do so with the appropriations made to the commission and only in a manner that does not reduce services to academic libraries as a result of the expansion.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.