

## **BILL ANALYSIS**

Senate Research Center  
84R20898 KJE-D

C.S.S.B. 915  
By: Kolkhorst  
Higher Education  
4/8/2015  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In December 2012, the American Enterprise Institute estimated that college textbook prices increased by 812 percent between 1978 and 2012. In the same period of time, the Consumer Price Index (CPI) rose by 250 percent. College Board estimates that the average student attending a public four-year in-state on-campus university spent \$1,255 on books and supplies during the 2014-15 academic year.

The federal government attempted to address this growing problem in the Higher Education Opportunity Act of 2008 (HEOA). Under HEOA, publishers are required to provide pricing information to course instructors as they choose textbooks for their students. The HEOA, however, allows universities to submit textbook information at a time "to be determined." This reduces a student's ability to search for the best bargain on a textbook because the sooner reading lists are available, the sooner students can compare prices online and in bookstores to find the best-priced book.

According to the National Conference of State Legislatures, 20 state laws have been passed on college textbook pricing since 2007. Some of them require publishers to offer bundled and unbundled versions of textbooks or to provide more information to faculty about the changes made to textbooks from one edition to the next. Other states have required instructors to consider lower-cost options when choosing course materials and have urged colleges and universities to implement options that will reduce costs.

C.S.S.B. 915 is a starting point in addressing the ever rising cost of college textbooks. The bill calls for establishing a pilot program at a four-year university to provide students with access to college textbook pricing information and encourage the adoption of more affordable textbook alternatives.

C.S.S.B. 915 amends current law relating to the establishment and administration by the Texas Higher Education Coordinating Board of a textbook affordability pilot program at a public institution of higher education.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 61.0667, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 61, Education Code, by adding Section 61.0667, as follows:

Sec. 61.0667. TEXTBOOK AFFORDABILITY PILOT PROGRAM. (a) Defines "college bookstore," "electronic textbook," "eligible institution," and "open-source textbook."

(b) Requires the Texas Higher Education Coordinating Board (THECB) to establish and administer a pilot program to encourage the use of affordable textbooks at institutions of higher education. Requires THECB to select one eligible institution to participate in the pilot program.

(c) Requires THECB to establish the application process and selection criteria for participation in the pilot program. Authorizes THECB to select any eligible institution to participate in the pilot program if no eligible institutions apply.

(d) Requires THECB to designate one academic department of the selected eligible institution to implement the pilot program. Requires the designated department to:

(1) to the greatest extent possible, use electronic or open-source textbooks, open educational resources, public domain material, or other free or low-cost textbooks or textbook alternatives for each course offered through the department;

(2) notify the institution's college bookstore of each textbook or textbook alternative that has been adopted for use in a course offered through the department and that will be distributed through the bookstore; and

(3) maintain records of the cost of textbooks and textbook alternatives for each course offered through the department for the duration of the pilot program.

(e) Requires the selected eligible institution's college bookstore to notify the designated department of the anticipated cost to a student of each textbook or textbook alternative that has been adopted for use in a course offered through the department and that will be distributed through the bookstore on receipt of notice from the designated department under Subsection(d)(2).

(f) Requires THECB to submit to the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each standing legislative committee with primary jurisdiction over higher education a report on the success of the pilot program under this section and any recommendations for legislative or other action not later than December 1, 2018. Requires that the report include a comparison of the average cost of textbooks for courses offered through the department designated under Subsection 9(d) to implement the pilot program and for courses offered through departments at other institutions of higher education that have implemented a similar textbook affordability program.

(g) Requires the eligible institution selected to participate in the pilot program to assist in preparing the report required under Subsection(f) on request by THECB.

(h) Authorizes THECB to solicit and accept gifts, grants, and donations from any public or private source to prepare the report and develop recommendations as required by Subsection (f).

(i) Requires THECB to adopt rules as necessary to implement this section.

(j) Provides that this section expires September 1, 2019.

SECTION 2. Requires THECB to implement the pilot program required under Section 61.0667, Education Code, as added by this Act, beginning with the 2015-2016 academic year.

SECTION 3. Effective date: upon passage or September 1, 2015.