

## **BILL ANALYSIS**

Senate Research Center

H.B. 762  
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Education  
5-10-97  
Engrossed

### **DIGEST**

Currently, Texas law does not prohibit the sale of term papers and other academic materials. Some individuals and companies have offered to sell students' term papers and theses for a fee. This bill makes it illegal to advertise, distribute, prepare, or sell academic products to be used by another individual to satisfy that individual's course requirements at an institution of higher education.

### **PURPOSE**

As proposed, H.B. 762 makes it illegal to advertise, distribute, prepare, or sell academic products to be used by another individual to satisfy that individual's course requirements at an institution of higher education.

### **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 Chapter 32D, Penal Code, by adding Section 32.49, as follows:

Sec. 32.49. DECEPTIVE PREPARATION AND MARKETING OF ACADEMIC PRODUCT. Defines "academic product," "academic requirement," and "institution of higher education." Provides that a person commits a Class B misdemeanor if, with the intent to make a profit, the person prepares, sells, offers, or advertises for sale or delivers an academic product knowing that a person intends to submit the academic product to satisfy an academic requirement of a person other than the person who prepared the product. Sets forth an additional offense regarding a written or oral statement. Sets forth provisions regarding a person's defense to prosecution.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.