

BILL ANALYSIS

Senate Research Center
82R9519 KEL-D

S.B. 1005
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Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The cost of college textbooks has risen dramatically over the past 20 years. The United States Government Accountability Office (GAO) reports that the cost of textbooks has increased at twice the rate of inflation in recent years. The GAO also estimates that the price of textbooks for the average student represents 26 percent of the total cost for tuition and fees.

Students are typically introduced to the university textbook market during new/transfer student orientation. Textbook retailers also repurchase used textbooks from students during textbook buy-back periods at the end of the academic semesters. In order to ensure that students and their families are informed of the textbook retailers available to them, universities should market a variety of available retailers during these periods.

Current practices do not reflect a commitment to ensuring the best textbook value for university students. During these periods, universities often solely market their own university-affiliated bookstore. This practice marginalizes the market share of non-university book stores. Moreover, it inhibits the ability of students to access the full market of available retailers in order to achieve the best value for their instructional materials.

S.B. 1005 would prohibit colleges and universities from promoting only one textbook retailer.

As proposed, S.B. 1005 amends current law relating to fair treatment of all providers of instructional materials to students enrolled at public institutions of higher education.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.949, as follows:

Sec. 51.949. FAIR TREATMENT OF PROVIDERS OF INSTRUCTIONAL MATERIALS. (a) Defines "institution of higher education" and "instructional materials" in this section.

(b) Prohibits an institution of higher education from discriminating among providers of textbooks or other instructional materials in conducting activities of the institution relating to student access to those materials.

SECTION 2. Provides that Section 51.949, Education Code, as added by this Act, applies only to a semester or term that begins on or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2011.