1-1 By: Buckley (Senate Sponsor - King)   H.B. No. 5515
1-2   (In the Senate - Received from the House May 15, 2025;
1-3 May 16, 2025, read first time and referred to Committee on
1-4 Education K-16; May 22, 2025, reported favorably by the following
1-5 vote: Yeas 10, Nays 0; May 22, 2025, sent to printer.)

1-6   COMMITTEE VOTE

	Yea	Nay	Absent	PNV
Creighton			X	
Campbell	X			
Bettencourt	X			
Hagenbuch	X			
Hinojosa of Nueces	X			
King	X			
Menéndez	X			
Middleton	X			
Parker	X			
Paxton	X			
West	X			

1-19   A BILL TO BE ENTITLED
1-20   AN ACT

1-21 relating to restrictions on freight and shipping costs included in
1-22 the price of instructional materials for public schools.
1-23   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-24   SECTION 1. Section 31.151(a), Education Code, is amended to
1-25 read as follows:
1-26   (a) A publisher or manufacturer of instructional materials:
1-27   (1) shall furnish any instructional material the
1-28 publisher or manufacturer offers in this state at a price that does
1-29 not exceed the lowest price at which the publisher offers that
1-30 instructional material for adoption or sale to any state, public
1-31 school, or school district in the United States;
1-32   (2) shall automatically reduce the price of
1-33 instructional material sold for use in a school district or
1-34 open-enrollment charter school to the extent that the price is
1-35 reduced elsewhere in the United States;
1-36   (3) shall provide any instructional material or
1-37 ancillary item free of charge in this state to the same extent that
1-38 the publisher or manufacturer provides the instructional material
1-39 or ancillary item free of charge to any state, public school, or
1-40 school district in the United States;
1-41   (4) may not include in the price of instructional
1-42 material a freight and shipping cost that:
1-43   (A) exceeds the actual cost of delivering the
1-44 instructional material, as determined based on the standard rate
1-45 published by the carrier for the specified delivery method of the
1-46 instructional material; or
1-47   (B) includes a handling or similar charge that is
1-48 not directly related to the shipment of physical copies of the
1-49 instructional material;
1-50   (5) [(4)] shall guarantee that each copy of
1-51 instructional material sold in this state is at least equal in
1-52 quality to copies of that instructional material sold elsewhere in
1-53 the United States and is free from factual error;
1-54   (6) [(5)] may not become associated or connected with,
1-55 directly or indirectly, any combination in restraint of trade in
1-56 instructional materials or enter into any understanding or
1-57 combination to control prices or restrict competition in the sale
1-58 of instructional materials for use in this state;
1-59   (7) [(6)] shall deliver instructional materials to a
1-60 school district or open-enrollment charter school;
1-61   (8) [(7)] shall, at the time an order for

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2-1   instructional materials is acknowledged, provide to school
2-2   districts or open-enrollment charter schools an accurate shipping
2-3   date for instructional materials that are back-ordered;
2-4   (9) [(8)] shall guarantee delivery of instructional
2-5   materials at least 10 business days before the opening day of school
2-6   of the year for which the instructional materials are ordered if the
2-7   instructional materials are ordered by a date specified in the
2-8   sales contract;
2-9   (10) [(9)] shall submit to the State Board of
2-10 Education an affidavit certifying any instructional material the
2-11 publisher or manufacturer offers in this state to be free of factual
2-12 errors at the time the publisher executes the contract required by
2-13 Section 31.026; and
2-14   (11) [(10)] shall comply with all other standard terms
2-15 and conditions adopted by the State Board of Education for use in
2-16 contracts for the procurement of instructional materials under
2-17 Subsection (a-1).
2-18   SECTION 2. This Act takes effect September 1, 2025.

2-19   * * * * *