

AN ACT

relating to the establishment by the commissioner of education of a computer lending pilot program for public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 32, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. COMPUTER LENDING PILOT PROGRAM

Sec. 32.351. ESTABLISHMENT OF PILOT PROGRAM. The commissioner by rule shall establish a computer lending pilot program to provide computers to participating public schools that make computers available for use by students and their parents.

Sec. 32.352. PILOT PROGRAM ADMINISTRATION. The commissioner shall establish procedures for the administration of the pilot program, including procedures for distributing to participating public schools:

(1) any surplus or salvage data processing equipment available for distribution under the pilot program; or

(2) computers donated or purchased for that purpose with funds from any available source, including a foundation, private entity, governmental entity, and institution of higher education.

Sec. 32.353. ELIGIBLE SCHOOLS. A public school is eligible to participate in the pilot program if:

(1) 50 percent or more of the students enrolled in the

1 school are educationally disadvantaged; and

2 (2) the school operates or agrees to operate a
3 computer lending program that:

4 (A) allows students and parents to borrow a
5 computer;

6 (B) includes an option for students and parents
7 to work toward owning a computer initially borrowed under the
8 school's lending program, subject to any applicable legal
9 restrictions regarding disposition of the computer involved;

10 (C) provides computer training for students and
11 parents; and

12 (D) operates outside regular school hours,
13 including operation until at least 7 p.m. on at least three days
14 each week.

15 Sec. 32.354. ANNUAL REPORT. Not later than January 1 of
16 each year, the commissioner shall submit a report to the
17 legislature regarding the computer lending pilot program
18 established under this subchapter.

19 Sec. 32.355. EXPIRATION. This subchapter expires September
20 1, 2014.

21 SECTION 2. Section 2175.128, Government Code, is amended by
22 adding Subsections (a-1) and (b-1) to read as follows:

23 (a-1) Notwithstanding Subsection (a), if a disposition of a
24 state agency's surplus or salvage data processing equipment is not
25 made under Section 2175.125 or 2175.184, the state agency shall
26 make the equipment available to the commissioner of education for
27 use in the computer lending pilot program established under

1 Subchapter H, Chapter 32, Education Code. If the commissioner of
2 education declines to take the equipment, the state agency shall
3 transfer the equipment in accordance with Subsection (a). The
4 state agency may not collect a fee or other reimbursement from the
5 commissioner of education for the equipment made available under
6 this subsection. This subsection expires September 1, 2014.

7 (b-1) Notwithstanding Subsection (b), if a disposition of
8 the surplus or salvage data processing equipment of a state
9 eleemosynary institution or an institution or agency of higher
10 education is not made under other law, the institution or agency
11 shall make the equipment available to the commissioner of education
12 for use in the computer lending pilot program established under
13 Subchapter H, Chapter 32, Education Code. If the commissioner of
14 education declines to take the equipment, the institution or agency
15 shall transfer the equipment in accordance with Subsection (b).
16 The state eleemosynary institution or institution or agency of
17 higher education may not collect a fee or other reimbursement from
18 the commissioner of education for the equipment made available
19 under this subsection. This subsection expires September 1, 2014.

20 SECTION 3. This Act takes effect September 1, 2009.

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S.B. No. 2178

David Dewhurst
President of the Senate

John Stroman
Speaker of the House

I hereby certify that S.B. No. 2178 passed the Senate on
May 5, 2009, by the following vote: Yeas 31, Nays 0.

Daisy Spaw
Secretary of the Senate

I hereby certify that S.B. No. 2178 passed the House on
May 26, 2009, by the following vote: Yeas 142, Nays 1, two
present not voting.

Robert Harney
Chief Clerk of the House

Approved:

19 JUN '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

JUN 19 2009

Colby Shuter, III