



# House of Representatives

General Assembly

**File No. 86**

January Session, 2021

House Bill No. 6405

*House of Representatives, March 18, 2021*

The Committee on Higher Education and Employment Advancement reported through REP. ELLIOTT of the 88th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING THE CONNECTICUT OPEN EDUCATIONAL RESOURCE COORDINATING COUNCIL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (g) of section 10a-44d of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2021*):

4 (g) Not later than [January 1, 2021] February 1, 2022, and annually  
5 thereafter, the council shall submit a report, in accordance with the  
6 provisions of section 11-4a, to the joint standing committee of the  
7 General Assembly having cognizance of matters relating to higher  
8 education regarding (1) the number and percentage of high-impact  
9 courses for which open educational resources have been developed, (2)  
10 the degree to which institutions of higher education promote the use  
11 and access to open educational resources, (3) the amount of grants  
12 awarded by the council and the number of open educational resources  
13 developed by grant recipients, and (4) its recommendations for any

14 amendments to the general statutes necessary to develop open  
15 educational resources.

16 Sec. 2. Subsection (f) of section 4-89 of the general statutes is repealed  
17 and the following is substituted in lieu thereof (*Effective July 1, 2021*):

18 (f) The provisions of this section shall not apply to appropriations to  
19 (1) the Office of Higher Education for (A) student financial assistance  
20 for the Roberta B. Willis Scholarship program established under section  
21 10a-173, or [to] (B) the minority advancement program established  
22 under subsection (b) of section 10a-11, (2) the Board of Regents for  
23 Higher Education for Connecticut higher education centers of  
24 excellence established under section 10a-25h, [to the Office of Higher  
25 Education for the minority advancement program established under  
26 subsection (b) of section 10a-11, or to] (3) the operating funds of the  
27 constituent units of the state system of higher education established  
28 pursuant to sections 10a-105, 10a-99 and 10a-77, or (4) the Connecticut  
29 Open Educational Resource Coordinating Council established under  
30 section 10a-44d, as amended by this act. Such appropriations shall not  
31 lapse until the end of the fiscal year succeeding the fiscal year of the  
32 appropriation except that centers of excellence appropriations  
33 deposited by the Board of Regents for Higher Education in the Endowed  
34 Chair Investment Fund, established under section 10a-20a, shall not  
35 lapse but shall be held permanently in the Endowed Chair Investment  
36 Fund and any moneys remaining in higher education operating funds  
37 of the constituent units of the state system of higher education shall not  
38 lapse but shall be held permanently in such funds. On or before  
39 September first, annually, the Office of Higher Education and Board of  
40 Regents for Higher Education shall submit a report to the joint standing  
41 committee of the General Assembly having cognizance of matters  
42 relating to appropriations and the budgets of state agencies, through the  
43 Office of Fiscal Analysis, concerning the amount of each such  
44 appropriation carried over from the preceding fiscal year.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>July 1, 2021</i>	10a-44d(g)
Sec. 2	<i>July 1, 2021</i>	4-89(f)

**HED**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Higher Ed., Off.	GF - See Below	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill prevents funds appropriated to the Open Educational Resource (OER) Coordinating Council, through the Office of Higher Education, from lapsing at the end of the fiscal year; instead, unspent funds may lapse at the end of the next fiscal year. This results in lapsing funds not returning immediately to the General Fund, but rather being retained by the OER Coordinating Council for a year. The bill makes other various procedural changes that do not result in a fiscal impact.

**The Out Years**

There is no fiscal impact in the out years, as the lapse provision is one-time in nature.

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**OLR Bill Analysis****HB 6405*****AN ACT CONCERNING THE CONNECTICUT OPEN EDUCATIONAL RESOURCE COORDINATING COUNCIL.*****SUMMARY**

This bill delays the Connecticut Open Educational Resource (OER) Coordinating Council's (see BACKGROUND) first annual reporting deadline from January 1, 2021, to February 1, 2022. It also exempts unexpended funds appropriated to the OER Coordinating Council from lapsing at the end of the fiscal year.

EFFECTIVE DATE: July 1, 2021

**BACKGROUND*****Connecticut OER Coordinating Council***

PA 19-117, § 147, established the Connecticut OER Coordinating Council and required the council to establish an OER program to lower the cost of textbooks and course materials for high-impact courses at state higher education institutions. "High-impact" courses are instruction courses for which OERs would make a significant positive financial impact on the students taking the course due to the number of students taking the course or the market value of the course's required printed textbook or other resources.

**COMMITTEE ACTION**

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 20 Nay 0 (03/04/2021)