

BILL ANALYSIS

Senate Research Center
87R17484 KEL-F

C.S.S.B. 1525
By: Creighton
Higher Education
4/1/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Governor's University Research Initiative provides essential funding for Texas public institutions of higher education to recruit distinguished researchers from across the world.

The Governor's University Research Initiative is administered by the Economic Development and Tourism Division in the Office of the Governor and provides matching grants up to \$5 million per distinguished researcher in the fields of science, technology, engineering, mathematics, or medicine.

Distinguished researchers are currently defined as a Nobel Laureate or the recipient of an equivalent honor, or a member of a national honorific society such as the National Academy of Sciences, the National Academy of Engineering, or the National Academy of Medicine.

Eligible costs for the Governor's University Research Initiative include one-time salary supplements, travel, equipment, supplies, construction, and direct operating expenses.

As of the end of 2020, the Office of the Governor has approved \$62.2 million in the Governor's University Research Initiative matching funds to bring 19 distinguished researchers to five Texas universities.

Distinguished researchers enhance the faculty at each institution. This legislation would give institutions greater flexibility to attract talented mid-career researchers to ensure that Texas has a pipeline of researchers who will remain in the state for decades.

While the state has imported a number of distinguished researchers utilizing this program, there is also an opportunity to bring mid-career researchers to Texas. Though mid-career researchers have not yet achieved the honors currently detailed in statute, they have brought millions of dollars of research, and the expanded knowledge that comes with their findings, to the state.

The current statute is narrowly written in a way that prevents these talented mid-career researchers from receiving funding under the Governor's University Research Initiative. These individuals could significantly contribute to growing the Texas economy.

This expansion could also pave the way for more universities to be recognized as significant research institutions, bringing more acclaim to Texas universities.

The committee substitute aligns the Senate version of the bill with the House version.

C.S.S.B. 1525 amends current law relating to the administration of the governor's university research initiative.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Economic Development and Tourism Office is modified in SECTION 2 (Section 62.162, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 62.161(1), Education Code, as added by Chapters 323 (S.B. 632) and 915 (H.B. 26), Acts of the 84th Legislature, Regular Session, 2015, as follows:

(1) Redefines "distinguished researcher" to mean, for purposes of Subchapter H (Governor's University Research Initiative):

(A) an individual researcher, rather than a researcher, who:

(i) and (ii) creates these subparagraphs from existing text and makes nonsubstantive changes; or

(iii) has attained a highly prestigious national academic recognition, as defined by Texas Economic Development and Tourism Office (office) rule; or

(B) a group of researchers who have attained recognition as described by Paragraph (A)(iii), as defined by office rule.

Makes nonsubstantive changes.

SECTION 2. Amends Section 62.162(b), Education Code, as added by Chapters 323 (S.B. 632) and 915 (H.B. 26), Acts of the 84th Legislature, Regular Session, 2015, as follows:

(b) Authorizes the office, in consultation with the commissioner of higher education (commissioner), rather than authorizes the office, to adopt any rules the office considers necessary to administer Subchapter H. Requires the commissioner to recommend to the office the types of national academic recognitions that are considered to be highly prestigious for purposes of determining which individuals or groups qualify as a "distinguished researcher" under Section 62.161 (Definitions).

SECTION 3. Amends Subchapter H, Chapter 62, Education Code, as added by Chapters 323 (S.B. 632) and 915 (H.B. 26), Acts of the 84th Legislature, Regular Session, 2015, by adding Section 62.169, as follows:

Sec. 62.169. ADVISORY BOARD. (a) Establishes the governor's university research initiative advisory board (advisory board) to assist the office with the review and evaluation of applications for funding of grant proposals under Subchapter H. Requires the advisory board to make recommendations to the office for approval or disapproval of those applications.

(b) Requires the advisory board to be composed of at least nine members appointed by the governor. Provides that, of the members of the board:

(1) one-third of the members, as nearly as possible, are required to have a background in finance;

(2) one-third of the members, as nearly as possible, are required to have an academic background in science, technology, engineering, or mathematics; and

(3) one-third of the members, as nearly as possible, are required to be public members.

(c) Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the size, composition, or duration of the advisory board.

(d) Prohibits a member of the advisory board who is or has been employed by, is or has been a party to a contract for any purpose with, or is a student or former

student of an applicant eligible institution from being involved in the review, evaluation, or recommendation of a grant proposal made by that institution.

(e) Provides that an advisory board member is not required to be a resident of this state.

(f) Requires that appointments to the advisory board be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

(g) Provides that members of the advisory board serve without compensation but are entitled to reimbursement for actual and necessary expenses in attending meetings of the board or performing other official duties authorized by the office.

SECTION 4. Repealer: Subchapter H (Governor's University Research Initiative), Chapter 62, Education Code, as added by Chapter 448 (H.B. 7), Acts of the 84th Legislature, Regular Session, 2015.

SECTION 5. Makes application of this Act prospective.

SECTION 6. Effective date: upon passage or September 1, 2021.