

## **BILL ANALYSIS**

Senate Research Center  
87R27314 SRA-D

C.S.H.B. 15  
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Health & Human Services  
5/21/2021  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Statement of Purpose:

To attract the greatest brain researchers in the world to Texas.

Background:

While 26 percent of Texans will one day suffer from a cancer diagnosis, over 70 percent of Texans will develop a brain ailment.

Many Texas suffer from brain ailments:

- o Alzheimer's - 400,000
- o Autism - 250,000
- o Dyslexia - 1.5 million to 3 million
- o Multiple Sclerosis - 14,000 to 20,000.

H.B. 15 establishes the Texas Brain University Research Initiative (TBURI). TBURI is modeled on the successful Governor's University Research Initiative (GURI) that has attracted some of the most distinguished researchers in the world. TBURI, like GURI, leverages seed money attracting the best and brightest researchers of the brain to Texas. Using seed money to attract the best researchers will have members of their labs and other researchers follow. Other grant dollars will follow researchers in Texas. This helps to position Texas to draw down some of the \$1.3 billion today from the NIH BRAIN Initiative alone. The impact of TBURI has the potential to be in the multiple of billions.

Key Provisions:

- Creates the Texas Brain University Research Initiative to provide matching grants to recruit distinguished researchers who are experts in the field of:
  - o (a) the causes of and prevention, treatment, rehabilitation, and cures for brain-related diseases, syndromes, disorders, dysfunction, injuries, developmental issues, neurological health issues, mental and behavioral health issues, and substance abuse disorders and other addictions; and
  - o (b) any other area impacting the brain, including an area that directly or indirectly impacts or is impacted by the brain or brain health, such as the gut microbiome, nutrition, and the spinal cord or nervous system.
- TBURI is administered by the Texas Higher Education Coordinating Board with an independent advisory board that weighs in on the decision to award grants. The advisory board is made of 1/3 members with expertise in STEM or brain health, 1/3 expertise in finance, and 1/3 public members.
- Grant awards are prioritized to proposals that involve the recruitment of distinguished researchers that study the causes of and prevention, treatment, rehabilitation, and cures for brain-related diseases, syndromes, disorders, dysfunction, injuries, developmental

issues, neurological health issues, mental and behavioral health issues, including those arising out of the COVID-19 pandemic.

- Creates a new dedicated account—Texas Brain University Research Initiative Fund. The fund can only be used for grants under TBURI.

C.S.H.B. 15 amends current law relating to the creation of the Texas brain university research initiative.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 (Section 61.9972, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 61, Education Code, by adding Subchapter OO, as follows:

#### **SUBCHAPTER OO. TEXAS BRAIN UNIVERSITY RESEARCH INITIATIVE**

Sec. 61.9971. DEFINITIONS. Defines "advisory board," "distinguished researcher," "eligible institution," "fund," and "health-related institution."

Sec. 61.9972. ADMINISTRATION OF INITIATIVE. (a) Provides that the Texas brain university research initiative is administered by the Texas Higher Education Coordinating Board (THECB).

(b) Requires THECB, from the Texas brain university research initiative fund (fund), to award matching grants to assist eligible institutions in recruiting distinguished researchers.

(c) Authorizes THECB to adopt any rules THECB considers necessary to administer this subchapter.

Sec. 61.9973. MATCHING GRANTS. (a) Authorizes an eligible institution to apply to THECB for a matching grant from the fund. Requires THECB, before approval or disapproval of a grant application, to consider the recommendation of the Texas brain university research initiative advisory board (advisory board) regarding the grant proposal. Requires THECB, if THECB approves a grant application, to award to the applicant institution a grant amount equal to the amount committed by the institution for the recruitment of a distinguished researcher, except as provided by Subsection (c)(2).

(b) Requires that a grant application identify the source and amount of the eligible institution's matching funds and demonstrate that the proposed use of the grant has the support of the institution's governing board, the chair of the institution's governing board, or the chancellor of the university system, if the institution is a component of a university system. Authorizes an applicant eligible institution to commit for matching purposes any funds of the institution available for that purpose other than appropriated general revenue.

(c) Authorizes THECB to set a deadline for grant applications for each state fiscal year. Authorizes THECB, after fully funding approved grant applications received during an application period for a state fiscal year, to reopen applications for that year and:

(1) award the full amount of matching funds from the fund for new applications; or

(2) approve previously disapproved applications submitted before the original application deadline for receipt of a reduced grant amount.

(d) Prohibits a matching grant received by an eligible institution under this subchapter from being considered as a basis to reduce directly or indirectly, the amount of money otherwise appropriated to the institution.

(e) Prohibits a matching grant from being used by an eligible institution to recruit a distinguished researcher or other employee from:

(1) another eligible institution; or

(2) a private or independent institution of higher education.

(f) Requires THECB to require an application and all supporting documentation to be submitted to THECB electronically in the manner prescribed by THECB.

Sec. 61.9974. GRANT AWARD CRITERIA; PRIORITIES. (a) Requires THECB, in awarding grants, to give priority to proposals that:

(1) involve the recruitment of distinguished researchers, including researchers who study mental and behavioral health issues arising from the COVID-19 pandemic; or

(2) demonstrate a reasonable likelihood of contributing substantially to this state's national and global economic competitiveness.

(b) Provides that a grant proposal should identify a specific distinguished researcher being recruited.

Sec. 61.9975. TEXAS BRAIN UNIVERSITY RESEARCH INITIATIVE FUND. (a) Provides that the fund is a dedicated account in the general revenue fund.

(b) Provides that the fund consists of:

(1) amounts appropriated or otherwise allocated or transferred by law to the fund; and

(2) gifts, grants, and other donations received for the fund.

(c) Authorizes the fund to be used by THECB only for the purposes of this subchapter, including for necessary expenses incurred in the administration of the fund and this subchapter.

Sec. 61.9976. CONFIDENTIALITY. Provides that information collected or obtained by THECB or the advisory board concerning the identity of a particular distinguished researcher who is the subject of a grant proposal under this subchapter is confidential unless the research and the applicant eligible institution consent to disclosure of the information. Provides that the information remains confidential until the date, if any, on which the researcher enters into an employment relationship with the recruiting institution as contemplated in the grant proposal.

Sec. 61.9977. ADVISORY BOARD. (a) Provides that the advisory board is established to assist THECB with the review and evaluation of applications for funding of grant proposals under this subchapter. Requires the advisory board to make recommendations to THECB for approval or disapproval of those applications.

(b) Sets forth the required composition of the advisory board.

(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 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 advisory board or performing other official duties authorized by THECB.

SECTION 2. Effective date: upon passage or September 1, 2021.