

BILL ANALYSIS

Senate Research Center
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S.B. 1525
By: Creighton
Higher Education
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As Filed

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 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.

As proposed, 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(2), Education Code, as added by Chapter 448 (H.B. 7), Acts of the 84th Legislature, Regular Session, 2015, as follows:

(2) Redefines "distinguished researcher" as:

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

(i) and (ii) makes nonsubstantive changes;

(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).

SECTION 2. Amends Section 62.162(c), Education Code, as added by Chapter 448 (H.B. 7), Acts of the 84th Legislature, Regular Session, 2015, as follows:

(c) Authorizes the office, in consultation with the commissioner of higher education, rather than authorizes the office, to adopt any rules the office considers necessary to administer Subchapter H (Governor's University Research Initiative). Requires the Texas Higher Education Coordinating Board (THECB) 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 Section 62.168(b), Education Code, as added by Chapter 448 (H.B. 7), Acts of the 84th Legislature, Regular Session, 2015, as follows:

(b) Provides that the governor's university research initiative fund consists of certain amounts, including money deposited to the fund under Section 62.169 or under Section 490.101(b-1) (relating to exclusive uses of the Texas Emerging Technology Fund), Government Code, as added by Chapters 323 (S.B. 632) and 915 (H.B. 26), Acts of the 84th Legislature, Regular Session, 2015. Makes nonsubstantive changes.

SECTION 4. Transfers Section 62.166, Education Code, as added by Chapters 323 (S.B. 632) and 915 (H.B. 26), Acts of the 84th Legislature, Regular Session, 2015, to Subchapter H, Chapter 62, Education Code, as added by Chapter 448 (H.B. 7), Acts of the 84th Legislature, Regular Session, 2015, redesignates it as Section 62.169, Education Code; and amends it, as follows:

Sec. 62.169. WINDING UP OF CONTRACTS AND AWARDS IN CONNECTION WITH TEXAS EMERGING TECHNOLOGY FUND. (a) Requires that awards from the Texas emerging technology fund be wound up in accordance with Section 62.169 and Section 490.104 (Management of Investment Portfolio; Winding Up and Final Liquidation), Government Code, as added by Chapters 323 (S.B. 632) and 915 (H.B. 26), Acts of the 84th Legislature, Regular Session, 2015, and that contracts governing awards from that fund be wound up in accordance with Section 62.169.

(b) - (d) Makes no changes to these subsections.

SECTION 5. Transfers Section 62.167, Education Code, as added by Chapters 323 (S.B. 632) and 915 (H.B. 26), Acts of the 84th Legislature, Regular Session, 2015, to Subchapter H, Chapter 62, Education Code, as added by Chapter 448 (H.B. 7), Acts of the 84th Legislature, Regular Session, 2015, redesignates it as Section 62.170, Education Code, and makes no further changes.

SECTION 6. Transfers Section 62.168, Education Code, as added by Chapters 323 (S.B. 632) and 915 (H.B. 26), Acts of the 84th Legislature, Regular Session, 2015, to Subchapter H, Chapter 62, Education Code, as added by Chapter 448 (H.B. 7), Acts of the 84th Legislature,

Regular Session, 2015, redesignates it as Section 62.171, Education Code, and amends it to make nonsubstantive changes.

SECTION 7. (1) Repealer: Section 62.161 (Definitions), Education Code.

(2) Repealer: Section 62.162 (Administration of Initiative), Education Code.

(3) Repealer: Section 62.163 (Matching Grants to Recruit Distinguished Researchers), Education Code.

(4) Repealer: Section 62.164 (Grant Award Criteria; Priorities), Education Code.

(5) Repealer: Section 62.165 (Governor's University Research Initiative Fund), Education Code.

(6) Repealer: the heading to Subchapter H (Governor's University Research Initiative), Chapter 62, Education Code.

SECTION 8. Provides that the change in law made by this Act applies only to a grant application submitted to the office in the office of the governor for the state fiscal year beginning September 1, 2021. Provides that a grant application submitted for a preceding state fiscal year is governed by the law in effect on the date the application was submitted, and that law is continued in effect for that purpose.

SECTION 9. Effective date: upon passage or September 1, 2021.