

Suspending limitations on conference committee
jurisdiction, H.B. No. 2030 (Turner of Tarrant/West)

By: West

S.R. No. 563

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 87th
2 Legislature, Regular Session, 2021, That Senate Rule 12.03 be
3 suspended in part as provided by Senate Rule 12.08 to enable the
4 conference committee appointed to resolve the differences on House
5 Bill 2030 (certain grant programs, scholarships, and initiatives
6 administered by the Texas Higher Education Coordinating Board) to
7 consider and take action on the following matters:

8 (1) Senate Rule 12.03(4) is suspended to permit the
9 committee to add text on a matter not included in either the house
10 or senate version of the bill by adding the following SECTIONS to
11 the bill:

12 SECTION 2. Section 61.9773(a), Education Code, is amended
13 to read as follows:

14 (a) To receive a scholarship under this subchapter, a
15 student must enter into an agreement with the board as provided by
16 this section. The agreement must require the student to:

17 (1) complete:

18 (A) one year of ROTC training for each year that
19 the student receives the scholarship, up to a maximum requirement
20 of four years of ROTC training; or

21 (B) [complete] another undergraduate officer
22 commissioning program such as the United States Marine Corps
23 Platoon Leaders Class;

24 (2) graduate not later than six years after the date

1 the student first enrolls in a public or private institution of
2 higher education in this state;

3 (3) after graduation, enter into:

4 (A) a four-year commitment to be a member of the
5 Texas Army National Guard, Texas Air National Guard, Texas State
6 Guard, United States Coast Guard, or United States Merchant Marine;
7 or

8 (B) a contract to serve as a commissioned officer
9 in any branch of the armed services of the United States;

10 (4) meet the physical examination requirements and all
11 other prescreening requirements of the Texas Army National Guard,
12 Texas Air National Guard, Texas State Guard, United States Coast
13 Guard, or United States Merchant Marine or the branch of the armed
14 services with which the student enters into a contract; and

15 (5) agree to repay the scholarship if the student:

16 (A) fails to maintain satisfactory academic
17 progress;

18 (B) withdraws from the scholarship program; or

19 (C) fails to fulfill a commitment or contract
20 described by Subdivision (3).

21 SECTION 3. Subchapter FF, Chapter 61, Education Code, is
22 amended by adding Section 61.97731 to read as follows:

23 Sec. 61.97731. NOTICE REGARDING MINIMUM AND REQUIRED ROTC
24 TRAINING. The board shall post on the board's Internet website and
25 provide to each student before the student enters into an agreement
26 with the board under Section 61.9773 information regarding the
27 number of years of ROTC training that each entity described by

1 Section 61.9773(a)(3) requires or recommends before entering into a
2 commitment or contract described by that subdivision.

3 SECTION 6. Section 61.9773(a), Education Code, as amended
4 by this Act, applies beginning with a Texas Armed Services
5 Scholarship awarded for the 2022-2023 academic year. A Texas Armed
6 Services Scholarship awarded for an academic year before that
7 academic year is governed by the law in effect when the scholarship
8 was awarded, and the former law is continued in effect for that
9 purpose.

10 Explanation: This change is necessary to require students who
11 receive a scholarship under the Texas Armed Services Scholarship
12 Program to complete a certain number of years of ROTC training and
13 to require the Texas Higher Education Coordinating Board to provide
14 notice to those students of certain information regarding ROTC
15 training.

16 (2) Senate Rule 12.03(4) is suspended to permit the
17 committee to add text on a matter not included in either the house
18 or senate version of the bill by adding the following SECTION to the
19 bill:

20 SECTION 4. Chapter 61, Education Code, is amended by adding
21 Subchapter OO to read as follows:

22 SUBCHAPTER OO. TEXAS BRAIN UNIVERSITY RESEARCH INITIATIVE

23 Sec. 61.9971. DEFINITIONS. In this subchapter:

24 (1) "Advisory board" means the Texas brain university
25 research initiative advisory board.

26 (2) "Distinguished researcher" means a researcher who
27 is an expert in:

1 (A) the causes of and prevention, treatment,
2 rehabilitation, and cures for brain-related diseases, syndromes,
3 disorders, dysfunction, injuries, developmental issues,
4 neurological health issues, mental and behavioral health issues,
5 and substance abuse disorders and other addictions; or

6 (B) any other area impacting the brain, including
7 an area that directly or indirectly impacts or is impacted by the
8 brain or brain health, such as the gut microbiome, nutrition, and
9 the spinal cord or nervous system.

10 (3) "Eligible institution" means a general academic
11 teaching institution, a health-related institution, a nonprofit
12 research institution, and a private or independent college or
13 university located in this state and accredited by a recognized
14 accrediting agency. The term includes a historically black college
15 or university.

16 (4) "Fund" means the Texas brain university research
17 initiative fund established under this subchapter.

18 (5) "Health-related institution" means:

19 (A) a medical and dental unit and any other
20 public health science center, public medical school, or public
21 dental school established by statute or in accordance with this
22 chapter; and

23 (B) a private medical, dental, or public health
24 college or university located in this state and accredited by a
25 recognized accrediting agency.

26 Sec. 61.9972. ADMINISTRATION OF INITIATIVE. (a) The Texas
27 brain university research initiative is administered by the board.

1 (b) From the Texas brain university research initiative
2 fund, the board shall award matching grants to assist eligible
3 institutions in recruiting distinguished researchers.

4 (c) The board may adopt any rules the board considers
5 necessary to administer this subchapter.

6 Sec. 61.9973. MATCHING GRANTS. (a) An eligible
7 institution may apply to the board for a matching grant from the
8 fund. The board may only consider grant applications that are
9 recommended to the board by the advisory board. If the board
10 approves a grant application, the board shall award to the
11 applicant institution a grant amount equal to the amount committed
12 by the institution for the recruitment of a distinguished
13 researcher, except as provided by Subsection (c)(2).

14 (b) A grant application must identify the source and amount
15 of the eligible institution's matching funds and must demonstrate
16 that the proposed use of the grant has the support of the
17 institution's president. An applicant eligible institution may
18 commit for matching purposes any funds of the institution available
19 for that purpose other than appropriated general revenue.

20 (c) The board may set one or more deadlines for grant
21 applications for each state fiscal year. After fully funding
22 approved grant applications received during an application period
23 for a state fiscal year, the board may reopen applications for that
24 year and:

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

27 (2) approve previously disapproved applications

1 submitted before the original application deadline for receipt of a
2 reduced grant amount.

3 (d) A matching grant received by an eligible institution
4 under this subchapter may not be considered as a basis to reduce,
5 directly or indirectly, the amount of money otherwise appropriated
6 to the institution.

7 (e) A matching grant may not be used by an eligible
8 institution to recruit a distinguished researcher or other employee
9 from:

10 (1) another eligible institution; or

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

13 (f) The board shall require an application and all
14 supporting documentation to be submitted to the board
15 electronically in the manner prescribed by the board.

16 Sec. 61.9974. GRANT AWARD CRITERIA; PRIORITIES. (a) In
17 awarding grants, the board shall give priority to proposals that:

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

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

24 (b) A grant proposal must include a description of the
25 distinguished researcher or researchers the grant applicant is
26 recruiting and the research field of the distinguished researcher
27 or researchers, and may include a sample list of potential

1 distinguished researcher targets.

2 Sec. 61.9975. TEXAS BRAIN UNIVERSITY RESEARCH INITIATIVE
3 FUND. (a) The Texas brain university research initiative fund is a
4 dedicated account in the general revenue fund.

5 (b) The fund consists of:

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

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

10 (c) The fund may be used by the board only for the purposes
11 of this subchapter, including for necessary expenses incurred in
12 the administration of the fund and this subchapter.

13 Sec. 61.9976. CONFIDENTIALITY. Information collected or
14 obtained by the board or the advisory board concerning the identity
15 of a particular distinguished researcher who is the subject of a
16 grant proposal under this subchapter is confidential unless the
17 researcher and the applicant eligible institution consent to
18 disclosure of the information. The information remains
19 confidential until the date, if any, on which the researcher enters
20 into an employment relationship with the recruiting institution as
21 contemplated in the grant proposal.

22 Sec. 61.9977. ADVISORY BOARD. (a) The Texas brain
23 university research initiative advisory board is established to
24 assist the board with the review and evaluation of applications for
25 funding of grant proposals under this subchapter. The advisory
26 board shall make recommendations to the board for approval or
27 disapproval of those applications.

1 (b) The advisory board must be composed of at least nine
2 members appointed by the governor. Of the members of the board:

3 (1) one-third of the members, as nearly as possible,
4 must have a background in finance;

5 (2) one-third of the members, as nearly as possible,
6 must have an academic background in science, medicine, or brain
7 health; and

8 (3) one-third of the members, as nearly as possible,
9 must be public members.

10 (c) Chapter 2110, Government Code, does not apply to the
11 size, composition, or duration of the advisory board.

12 (d) A member of the advisory board who is or has been
13 employed by, is or has been a party to a contract for any purpose
14 with, or is a student or former student of an applicant eligible
15 institution may not be involved in the review, evaluation, or
16 recommendation of a grant proposal made by that institution.

17 (e) An advisory board member is not required to be a
18 resident of this state.

19 (f) Appointments to the advisory board shall be made without
20 regard to the race, color, disability, sex, religion, age, or
21 national origin of the appointees.

22 (g) Members of the advisory board serve without
23 compensation but are entitled to reimbursement for actual and
24 necessary expenses in attending meetings of the advisory board or
25 performing other official duties authorized by the board.

26 (h) The advisory board shall develop a research plan to
27 foster synergistic investigation into brain health and research by

1 eligible institutions.

2 Explanation: This change is necessary to provide for the
3 creation of the Texas brain university research initiative.