

## **BILL ANALYSIS**

C.S.H.B. 2520  
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Technology  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There is a concern that researchers have no easy way of knowing what their counterparts across Texas, or even across a particular campus, are doing. This makes it more difficult for researchers, who often have a range of perspectives and backgrounds, to work together on projects, which can limit the scope of the research or hinder the completion and commercialization of that work. C.S.H.B. 2520 seeks to address this concern by facilitating the linking of data relating to specialized technology research projects that are developed or conducted at general academic teaching institutions, including any research facilities associated with those institutions, and at research facilities of state agencies other than institutions of higher education.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 2520 amends the Education Code to require the Texas Higher Education Coordinating Board to facilitate the linking of data relating to specialized technology research projects that are developed or conducted at general academic teaching institutions, including any research facilities associated with those institutions, and at research facilities of state agencies other than institutions of higher education. The bill requires the links, to the greatest extent possible, to be established using existing information systems of the institutions and at the lowest reasonable cost.

C.S.H.B. 2520 requires the coordinating board, in consultation with the institutions and agencies, to determine the type of projects and research areas to be included and to prescribe the level and type of data to be linked, including faculty data, such as the researcher's name, position, area of research interest, grants, and intellectual property, and facility descriptions, such as the facility's purpose, capability, physical location, availability under fee for service, and contact information. The bill requires the coordinating board to implement the bill's provisions in phases in regard to participating institutions and agencies and in regard to projects and research areas to be included. The bill requires implementation to begin with the general academic teaching institutions identified as national research universities and emerging research universities.

C.S.H.B. 2520 requires the coordinating board and each participating institution or agency to execute a memorandum of understanding governing the linkage of data under the bill's provisions and requires the memorandum of understanding to address the administration of the linking of data, which may be performed by a nonprofit entity created for that purpose, the sharing of costs for implementation of the bill's provisions, and other matters determined by the coordinating board and the participating institution or agency. The bill requires data collection and management to remain the responsibility of the respective participating institution or agency.

C.S.H.B. 2520 requires the coordinating board to establish an advisory committee composed of representatives of participating institutions and agencies to advise and assist the coordinating board in implementing the bill's provisions. The bill requires the coordinating board and the participating institutions and agencies to allow access to the linked information consistent with state and federal laws regarding access to public information and specifies that the requirement to allow such access does not create or affect an exception to public information laws. The bill authorizes the coordinating board to adopt rules for the administration of the bill's provisions and sets out the purpose for the bill's provisions.

#### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

#### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2520 differs from the original by requiring the Texas Higher Education Coordinating Board to facilitate the linking of data relating to specialized technology research projects that are developed or conducted at general academic teaching institutions, including associated research facilities, and at research facilities of state agencies other than institutions of higher education, whereas the original requires the coordinating board to collect data and maintain a database relating to specialized technology research projects that are developed or conducted at institutions of higher education, including associated research facilities, or other facilities operated by a state agency.

C.S.H.B. 2520 differs from the original by establishing that the purpose of its provisions is to enhance research coordination and expand research collaborations among general academic teaching institutions and other state agencies in one or more technical areas relating to energy research, including methods of creation, storage, distribution, and conservation of energy; biomedical science research; and nanotechnology research, including nanomedicine, whereas the original requires the database required to be maintained by the coordinating board to include, among other information, a list of any projects involving one or more of those same technical areas.

C.S.H.B. 2520 differs from the original by requiring the coordinating board, in consultation with the institutions and agencies, to determine the type of projects and research areas to be included and to prescribe the level and type of data to be linked, including certain faculty data and facility descriptions, whereas the original sets out specified information relating to specialized technology research projects required to be included in the database.

C.S.H.B. 2520 contains provisions not included in the original requiring the coordinating board to implement the linking of specialized technology research data in phases and requiring implementation to begin with the general academic teaching institutions identified as national research universities and emerging research universities.

C.S.H.B. 2520 differs from the original by requiring the coordinating board and each participating institution or agency to execute a memorandum of understanding governing the linking of the data and requiring data collection and management to remain the responsibility of the respective participating institution or agency, whereas the original authorizes the coordinating board, through a memorandum of understanding, to work in conjunction with the Texas Economic Development and Tourism Office in collecting data for and maintaining the specialized technology research database.

C.S.H.B. 2520 contains a provision not included in the original requiring the coordinating board to establish an advisory committee to advise and assist the board in implementing the linking of the data.

C.S.H.B. 2520 differs from the original, in a bill provision requiring the coordinating board to allow public access to data, by including a specification that allowing such access does not create or affect an exception to public information laws, whereas the original contains no such specification.

C.S.H.B. 2520 omits a provision included in the original requiring an institution of higher education, research facility of an institution of higher education, or other facility operated by a state agency to provide to the coordinating board, on request, any information necessary for the coordinating board to perform its duties relating to the creation and maintenance of the database.

C.S.H.B. 2520 differs from the original by authorizing the coordinating board to adopt rules for the administration of provisions relating to the linking of data, whereas the original requires the coordinating board to adopt rules for the administration of the database.