

1-1 By: Jackson S.B. No. 1047
1-2 (In the Senate - Filed March 1, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Economic Development;
1-4 March 28, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 1; March 28, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1047 By: Jackson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the eligibility of an innovation and commercialization
1-11 organization associated with the Lyndon B. Johnson Space Center to
1-12 receive funding from the Texas emerging technology fund.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 490.001, Government Code, is amended by
1-15 adding Subdivision (5) to read as follows:

1-16 (5) "Research institution" means:

1-17 (A) a public institution of higher education; or

1-18 (B) an innovation and commercialization

1-19 organization associated with the Lyndon B. Johnson Space Center of
1-20 the National Aeronautics and Space Administration.

1-21 SECTION 2. Subsection (a), Section 490.151, Government
1-22 Code, is amended to read as follows:

1-23 (a) Amounts allocated from the fund for use as provided by
1-24 this subchapter shall be reserved for incentives for private or
1-25 nonprofit entities to collaborate with research institutions in
1-26 this state [public] or private institutions of higher education in
1-27 this state on emerging technology projects with a demonstrable
1-28 economic benefit to this state.

1-29 SECTION 3. Section 490.251, Government Code, is amended to
1-30 read as follows:

1-31 Sec. 490.251. USE OF MONEY FOR ACQUISITION OF RESEARCH
1-32 SUPERIORITY. Amounts allocated from the fund for use as provided by
1-33 this subchapter shall be used to acquire new or enhance existing
1-34 research superiority at research [public] institutions [~~of higher~~
1-35 ~~education]~~ in this state.

1-36 SECTION 4. Section 490.252, Government Code, is amended to
1-37 read as follows:

1-38 Sec. 490.252. RESEARCH SUPERIORITY. For purposes of this
1-39 subchapter, the employment by a research [an] institution [~~of~~
1-40 ~~higher education]~~ of one or more world-class or nationally
1-41 recognized researchers and associated assistants in an industry
1-42 eligible to receive funding under Section 490.003 is considered
1-43 "research superiority."

1-44 SECTION 5. Subsection (a), Section 490.253, Government
1-45 Code, is amended to read as follows:

1-46 (a) The committee shall review and consider proposals by
1-47 research [public] institutions [~~of higher education]~~ for:

1-48 (1) creating new research superiority;

1-49 (2) attracting existing research superiority from
1-50 institutions not located in this state and other research entities;
1-51 or

1-52 (3) enhancing existing research superiority by
1-53 attracting from outside this state additional researchers and
1-54 resources.

1-55 SECTION 6. Subsection (a), Section 490.256, Government
1-56 Code, is amended to read as follows:

1-57 (a) A research [An] institution [~~of higher education]~~ may
1-58 not knowingly attempt to attract an individual key researcher or
1-59 research superiority identified for consideration for funding by
1-60 another research institution in this state or a [public or] private
1-61 institution of higher education in this state under this
1-62 subchapter.

1-63 SECTION 7. Subsection (a), Section 490.257, Government

2-1 Code, is amended to read as follows:

2-2 (a) A research [~~public~~] institution [~~of higher education~~]
2-3 must document specific benefits that this state may expect to gain
2-4 as a result of attracting the research superiority before the
2-5 institution may enter into a contract to receive funding or
2-6 incentives under this subchapter.

2-7 SECTION 8. This Act takes effect immediately if it receives
2-8 a vote of two-thirds of all the members elected to each house, as
2-9 provided by Section 39, Article III, Texas Constitution. If this
2-10 Act does not receive the vote necessary for immediate effect, this
2-11 Act takes effect September 1, 2011.

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