

By: González

H.B. No. 3983

Substitute the following for H.B. No. 3983:

By: King of Uvalde

C.S.H.B. No. 3983

A BILL TO BE ENTITLED

AN ACT

relating to the Global Agricultural Innovation Institute program administered by the Department of Agriculture.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 3, Agriculture Code, is amended by adding Chapter 50E to read as follows:

CHAPTER 50E. GLOBAL AGRICULTURAL INNOVATION INSTITUTE

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 50E.001. DEFINITIONS. In this chapter:

(1) "Board" means the Global Agricultural Innovation Institute Board.

(2) "Program" means the Global Agricultural Innovation Institute program.

Sec. 50E.002. POWERS AND DUTIES OF COMMISSIONER AND DEPARTMENT. (a) The department shall administer this chapter and may adopt rules necessary to implement this chapter.

(b) The commissioner may appoint or employ consultants or other agents as necessary for the business of the program.

(c) The department may contract with any state institution of higher education, state agency, domestic or foreign person, or federal agency to perform services or provide facilities for the board.

Sec. 50E.003. AVAILABILITY OF FUNDS. Notwithstanding any other provision of this chapter, the department is not required to

1 grant awards or otherwise implement this chapter and the
2 commissioner is not required to appoint board members unless the
3 department accepts a gift, grant, or donation of money or real or
4 personal property for the purpose of implementing this chapter.

5 SUBCHAPTER B. GLOBAL AGRICULTURAL INNOVATION INSTITUTE PROGRAM

6 Sec. 50E.051. PROGRAM ESTABLISHED. The department may
7 establish the program to enhance and create developing
8 technologies, recruit businesses to this state, develop businesses
9 in this state, and enhance and create markets to advance and promote
10 the sale of Texas agricultural products and services worldwide.

11 Sec. 50E.052. AWARDS. The department may award grants of
12 money from the Global Agricultural Innovation Institute account and
13 real or personal property held outside the account to further the
14 purposes of the program. The use of the award is restricted by the
15 terms of the award. The department may use only money or property
16 received under Section 50E.054 to grant an award under this
17 chapter.

18 Sec. 50E.053. PROGRAM ACCOUNT. (a) The Global
19 Agricultural Innovation Institute account is an account in the
20 general revenue fund. The account is composed of:

21 (1) gifts, grants, and donations of money received
22 under Section 50E.054; and

23 (2) other money required by law to be deposited in the
24 account.

25 (b) Money in the account may be appropriated only to the
26 department for the purpose of the program.

27 (c) Income from money in the account shall be credited to

1 the account.

2 (d) The account is exempt from the application of Section
3 403.095, Government Code.

4 Sec. 50E.054. GIFTS, GRANTS, AND DONATIONS. The board and
5 the department may solicit, accept, and use gifts, grants, and
6 donations of money or real or personal property from public and
7 private sources for the purposes of this chapter, subject only to
8 limitations contained in the gifts, grants, or donations.

9 SUBCHAPTER C. GLOBAL AGRICULTURAL INNOVATION INSTITUTE BOARD

10 Sec. 50E.101. MEMBERSHIP AND TERMS. (a) The board is
11 composed of:

12 (1) the commissioner or the commissioner's designee;
13 (2) one representative of each of the following,

14 appointed by the commissioner:

15 (A) The Texas A&M University System;

16 (B) The University of Texas System;

17 (C) the Texas Tech University System;

18 (D) the Texas State University System;

19 (E) the University of Houston System;

20 (F) the University of North Texas System;

21 (G) independent institutions of higher education

22 in this state;

23 (H) private institutions of higher education in

24 this state;

25 (I) the agriculture marketing industry;

26 (J) international agricultural financing

27 businesses;

1 (K) the livestock industry in this state;

2 (L) the crop production industry in this state;

3 (M) international trade;

4 (N) the horticultural industry in this state; and

5 (O) humanitarian interests; and

6 (3) at least four additional at-large members
7 appointed by the commissioner who represent diverse sectors of the
8 agricultural industry.

9 (b) Members appointed under Subsections (a)(2) and (3)
10 serve staggered six-year terms, with as near as possible to
11 one-third of the members' terms expiring on February 1 of each
12 odd-numbered year.

13 (c) The board members shall nominate and elect a board
14 member as chair. The chair serves a one-year term. A person who has
15 served as chair for three consecutive terms is not eligible for
16 reelection as chair until the third anniversary of the date the
17 person last served as chair.

18 (d) Membership on the board by a state officer or employee
19 is an additional duty of the officer's or employee's employment.

20 (e) A board member is not a state officer for purposes of
21 Section 572.021, Government Code, solely because of the member's
22 service on the board. Board members otherwise required to comply
23 with Section 572.021, Government Code, are not exempt from that
24 requirement as a result of service on the board.

25 Sec. 50E.102. DUTIES OF BOARD. (a) The board shall advise
26 the department in the administration of the program.

27 (b) The board shall select the recipients of and grant all

1 awards, contracts, and partnerships related to the program.

2 (c) The board may conduct surveys, research, or
3 investigations for the purposes of the program.

4 Sec. 50E.103. MEETINGS. (a) The board shall meet at least
5 twice each year at the call of the chair.

6 (b) Notwithstanding Chapter 551, Government Code, the board
7 may hold an open or closed meeting by telephone conference call if
8 immediate action is required and the convening at one location of a
9 quorum of the board is inconvenient for any member of the board.

10 (c) The meeting held by telephone conference call is subject
11 to the notice requirements applicable to other meetings.

12 (d) The notice of a meeting held by telephone conference
13 call must specify as the location of the meeting the location where
14 meetings of the board are usually held.

15 (e) Each part of a meeting held by telephone conference call
16 that is required to be open to the public shall be audible to the
17 public at the location specified in the notice of the meeting as the
18 location of the meeting and shall be recorded.

19 Sec. 50E.104. COMPENSATION. (a) A member of the board is
20 not entitled to compensation for service on the board.

21 (b) A member of the board is entitled to reimbursement for
22 travel expenses incurred by the member while conducting board
23 business.

24 Sec. 50E.105. STAFF AND RESOURCES. (a) The commissioner
25 shall provide the board with necessary staff and resources to
26 perform the board's duties under this chapter, as determined by the
27 commissioner during the state fiscal biennium in which the board is

1 established and during the next state fiscal biennium.

2 (b) The board shall hire through an application and
3 interview process a chief executive officer. The board shall
4 determine the duties of the chief executive officer.

5 (c) After the period described by Subsection (a), the chief
6 executive officer shall employ staff necessary to implement the
7 program, shall have sole authority to employ and terminate
8 employees, and may appoint or employ consultants, professionals, or
9 other agents necessary to conduct the business of the program.

10 SECTION 2. This Act takes effect September 1, 2015.