

Suspending limitations on conference committee  
jurisdiction, H.B. No. 1295

By: Hancock

S.R. No. 1064

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 84th Legislature, Regular Session, 2015, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 1295 (the disclosure of research, research sponsors, and interested parties by persons contracting with governmental entities and state agencies) to consider and take action on the following matter:

Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill by adding, in SECTION 2 of the bill, proposed Sections 51.955(b) and (c), Education Code, as follows:

(b) A state agency that expends appropriated funds may not:

(1) enter into a research contract with an institution of higher education if that contract contains a provision precluding public disclosure of any final data generated or produced in the course of executing the contract unless the agency reasonably determines that the premature disclosure of such data would adversely affect public safety, the protection of intellectual property rights of the institution of higher education, publication rights in professional scientific publications, or valuable confidential information of the institution of higher education or a third party; or

(2) adopt a rule that is based on research conducted

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under a contract entered into with an institution of higher education unless the agency:

(A) has made the results of the research and all data supporting the research publicly available; or

(B) reasonably determines that the premature disclosure of such data would adversely affect public safety, the protection of intellectual property rights of the institution of higher education, publication rights in professional scientific publications, or valuable confidential information of the institution of higher education or a third party.

(c) Subsection (b)(1) does not apply to a research contract between an institution of higher education and the Cancer Prevention and Research Institute of Texas.

Explanation: The change is necessary to protect public safety, certain intellectual property and publication rights, and certain valuable confidential information and to exempt the Cancer Prevention and Research Institute of Texas from disclosure of final data generated or produced in the course of executing a contract with an institution of higher education.

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President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 31, 2015, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate