

By: Seliger
(Martinez)

S.B. No. 803

Substitute the following for S.B. No. 803:

By: Lozano

C.S.S.B. No. 803

A BILL TO BE ENTITLED

AN ACT

relating to a study on the feasibility of requiring certain
researchers to make research papers available to the public.

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

SECTION 1. Subchapter C, Chapter 61, Education Code, is
amended by adding Section 61.0666 to read as follows:

Sec. 61.0666. FEASIBILITY STUDY ON COLLECTING PUBLISHED
RESEARCH. (a) This section applies only to a researcher whose
research is funded wholly or partly with:

(1) state money; or

(2) federal money, if the research is conducted in
this state or by an institution of higher education.

(b) The board, in consultation with institutions of higher
education, publishing companies, and any other interested persons
the board considers appropriate, shall study the feasibility of
requiring each researcher to submit to a state agency an electronic
copy of each original research paper by the researcher that is
accepted for publication in a peer-reviewed journal. The study
must examine:

(1) the time requirements for submitting a research
paper;

(2) the manner for making the research paper available
to the public, including posting on an Internet website;

(3) the state agencies that have the resources

1 necessary to collect research papers and coordinate the
2 dissemination of the research papers;

3 (4) federal law requirements on the publication of a
4 research paper by a researcher whose research is funded with
5 federal money;

6 (5) the extent to which submission of the research
7 paper to a state agency would duplicate existing private-sector
8 databases and archives of research articles; and

9 (6) the impact the submission requirement would have
10 on:

11 (A) the journal publishers' ability to recover
12 their financial investments in the review and publication of
13 research papers, including investments in the peer review process
14 critical for ensuring the quality and integrity of published
15 research;

16 (B) the publishers' ability to exercise
17 copyright protections related to the research papers; and

18 (C) the publishing industry and jobs in this
19 state.

20 (c) Not later than December 1, 2018, the board shall report
21 the results of the study, its findings, and any recommendations to
22 the legislature.

23 (d) This section expires September 1, 2019.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2017.