By:  Thompson of Harris, et al. H.B. No. 15

     (Senate Sponsor - Kolkhorst, Alvarado, Gutierrez)

(In the Senate - Received from the House April 28, 2021; May 10, 2021, read first time and referred to Committee on Health & Human Services; May 22, 2021, reported adversely, with favorable Committee Substitute by the following vote: Yeas 8, Nays 0; May 22, 2021, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Kolkhorst         X

Perry             X

Blanco            X

Buckingham        X

Campbell          X

Hall                        X

Miles             X

Powell            X

Seliger           X

COMMITTEE SUBSTITUTE FOR H.B. No. 15 By:  Blanco

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Texas brain university research initiative.

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

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

SUBCHAPTER OO. TEXAS BRAIN UNIVERSITY RESEARCH INITIATIVE

Sec. 61.9971.  DEFINITIONS. In this subchapter:

(1)  "Advisory board" means the Texas brain university research initiative advisory board.

(2)  "Distinguished researcher" means a researcher who is an expert in:

(A)  the causes of and prevention, treatment, rehabilitation, and cures for brain-related diseases, syndromes, disorders, dysfunction, injuries, developmental issues, neurological health issues, mental and behavioral health issues, and substance abuse disorders and other addictions; or

(B)  any other area impacting the brain, including an area that directly or indirectly impacts or is impacted by the brain or brain health, such as the gut microbiome, nutrition, and the spinal cord or nervous system.

(3)  "Eligible institution" means a general academic teaching institution or health-related institution.

(4)  "Fund" means the Texas brain university research initiative fund established under this subchapter.

(5)  "Health-related institution" means a medical and dental unit and any other public health science center, public medical school, or public dental school established by statute or in accordance with this chapter.

Sec. 61.9972.  ADMINISTRATION OF INITIATIVE. (a) The Texas brain university research initiative is administered by the board.

(b)  From the Texas brain university research initiative fund, the board shall award matching grants to assist eligible institutions in recruiting distinguished researchers.

(c)  The board may adopt any rules the board considers necessary to administer this subchapter.

Sec. 61.9973.  MATCHING GRANTS. (a) An eligible institution may apply to the board for a matching grant from the fund. Before approval or disapproval of a grant application, the board shall consider the recommendation of the advisory board regarding the grant proposal. If the board approves a grant application, the board shall award to the applicant institution a grant amount equal to the amount committed by the institution for the recruitment of a distinguished researcher, except as provided by Subsection (c)(2).

(b)  A grant application must identify the source and amount of the eligible institution's matching funds and must demonstrate that the proposed use of the grant has the support of the institution's president and of the institution's governing board, the chair of the institution's governing board, or the chancellor of the university system, if the institution is a component of a university system. An applicant eligible institution may commit for matching purposes any funds of the institution available for that purpose other than appropriated general revenue.

(c)  The board may set a deadline for grant applications for each state fiscal year. After fully funding approved grant applications received during an application period for a state fiscal year, the board may reopen applications for that year and:

(1)  award the full amount of matching funds from the fund for new applications; or

(2)  approve previously disapproved applications submitted before the original application deadline for receipt of a reduced grant amount.

(d)  A matching grant received by an eligible institution under this subchapter may not be considered as a basis to reduce, directly or indirectly, the amount of money otherwise appropriated to the institution.

(e)  A matching grant may not be used by an eligible institution to recruit a distinguished researcher or other employee from:

(1)  another eligible institution; or

(2)  a private or independent institution of higher education.

(f)  The board shall require an application and all supporting documentation to be submitted to the board electronically in the manner prescribed by the board.

Sec. 61.9974.  GRANT AWARD CRITERIA; PRIORITIES. (a) In awarding grants, the board shall give priority to proposals that:

(1)  involve the recruitment of distinguished researchers, including researchers who study mental and behavioral health issues arising from the COVID-19 pandemic; or

(2)  demonstrate a reasonable likelihood of contributing substantially to this state's national and global economic competitiveness.

(b)  A grant proposal should identify a specific distinguished researcher being recruited.

Sec. 61.9975.  TEXAS BRAIN UNIVERSITY RESEARCH INITIATIVE FUND. (a) The Texas brain university research initiative fund is a dedicated account in the general revenue fund.

(b)  The fund consists of:

(1)  amounts appropriated or otherwise allocated or transferred by law to the fund; and

(2)  gifts, grants, and other donations received for the fund.

(c)  The fund may be used by the board only for the purposes of this subchapter, including for necessary expenses incurred in the administration of the fund and this subchapter.

Sec. 61.9976.  CONFIDENTIALITY. Information collected or obtained by the board or the advisory board concerning the identity of a particular distinguished researcher who is the subject of a grant proposal under this subchapter is confidential unless the researcher and the applicant eligible institution consent to disclosure of the information. The information remains confidential until the date, if any, on which the researcher enters into an employment relationship with the recruiting institution as contemplated in the grant proposal.

Sec. 61.9977.  ADVISORY BOARD. (a) The Texas brain university research initiative advisory board is established to assist the board with the review and evaluation of applications for funding of grant proposals under this subchapter. The advisory board shall make recommendations to the board for approval or disapproval of those applications.

(b)  The advisory board must be composed of at least nine members appointed by the governor. Of the members of the board:

(1)  one-third of the members, as nearly as possible, must have a background in finance;

(2)  one-third of the members, as nearly as possible, must have an academic background in science, medicine, or brain health; and

(3)  one-third of the members, as nearly as possible, must be public members.

(c)  Chapter 2110, Government Code, does not apply to the size, composition, or duration of the advisory board.

(d)  A member of the advisory board who is or has been employed by, is or has been a party to a contract for any purpose with, or is a student or former student of an applicant eligible institution may not be involved in the review, evaluation, or recommendation of a grant proposal made by that institution.

(e)  An advisory board member is not required to be a resident of this state.

(f)  Appointments to the advisory board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

(g)  Members of the advisory board serve without compensation but are entitled to reimbursement for actual and necessary expenses in attending meetings of the advisory board or performing other official duties authorized by the board.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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