Suspending limitations on conference committee jurisdiction, H.B. No. 2030 (Turner of Tarrant/West)

By: West S.R. No. 563

RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 87th Legislature, Regular Session, 2021, 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 2030 (certain grant programs, scholarships, and initiatives administered by the Texas Higher Education Coordinating Board) to consider and take action on the following matters:

(1) 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 the following SECTIONS to the bill:

SECTION 2. Section 61.9773(a), Education Code, is amended to read as follows:

(a) To receive a scholarship under this subchapter, a student must enter into an agreement with the board as provided by this section. The agreement must require the student to:

(1) complete:

(A) one year of ROTC training for each year that the student receives the scholarship, up to a maximum requirement of four years of ROTC training; or

(B) [complete] another undergraduate officer commissioning program such as the United States Marine Corps Platoon Leaders Class;

(2) graduate not later than six years after the date
the student first enrolls in a public or private institution of higher education in this state; 

(3) after graduation, enter into:

(A) a four-year commitment to be a member of the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine; or

(B) a contract to serve as a commissioned officer in any branch of the armed services of the United States;

(4) meet the physical examination requirements and all other prescreening requirements of the Texas Army National Guard, Texas Air National Guard, Texas State Guard, United States Coast Guard, or United States Merchant Marine or the branch of the armed services with which the student enters into a contract; and

(5) agree to repay the scholarship if the student:

(A) fails to maintain satisfactory academic progress; 

(B) withdraws from the scholarship program; or 

(C) fails to fulfill a commitment or contract described by Subdivision (3).

SECTION 3. Subchapter FF, Chapter 61, Education Code, is amended by adding Section 61.97731 to read as follows:

Sec. 61.97731. NOTICE REGARDING MINIMUM AND REQUIRED ROTC TRAINING. The board shall post on the board's Internet website and provide to each student before the student enters into an agreement with the board under Section 61.9773 information regarding the number of years of ROTC training that each entity described by
Section 61.9773(a)(3) requires or recommends before entering into a commitment or contract described by that subdivision.

SECTION 6. Section 61.9773(a), Education Code, as amended by this Act, applies beginning with a Texas Armed Services Scholarship awarded for the 2022-2023 academic year. A Texas Armed Services Scholarship awarded for an academic year before that academic year is governed by the law in effect when the scholarship was awarded, and the former law is continued in effect for that purpose.

Explanation: This change is necessary to require students who receive a scholarship under the Texas Armed Services Scholarship Program to complete a certain number of years of ROTC training and to require the Texas Higher Education Coordinating Board to provide notice to those students of certain information regarding ROTC training.

(2) 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 the following SECTION to the bill:

SECTION 4. 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, a health-related institution, a nonprofit research institution, and a private or independent college or university located in this state and accredited by a recognized accrediting agency. The term includes a historically black college or university.

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

(5) "Health-related institution" means:

(A) 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; and

(B) a private medical, dental, or public health college or university located in this state and accredited by a recognized accrediting agency.

Sec. 61.9972. ADMINISTRATION OF INITIATIVE. (a) The Texas brain university research initiative is administered by the board.
From the Texas brain university research initiative fund, the board shall award matching grants to assist eligible institutions in recruiting distinguished researchers.

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. The board may only consider grant applications that are recommended to the board by the advisory board. 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. 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 one or more deadlines 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:

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

(II) 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 must include a description of the distinguished researcher or researchers the grant applicant is recruiting and the research field of the distinguished researcher or researchers, and may include a sample list of potential
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.

(h) The advisory board shall develop a research plan to foster synergistic investigation into brain health and research by
eligible institutions.

Explanation: This change is necessary to provide for the creation of the Texas brain university research initiative.