

By: Parker, et al.

S.B. No. 1537

A BILL TO BE ENTITLED

AN ACT

relating to measures to prevent espionage and intellectual property theft at public institutions of higher education.

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

SECTION 1. Chapter 51, Education Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. ESPIONAGE AND INTELLECTUAL PROPERTY THEFT PREVENTION

Sec. 51.501. DEFINITIONS. In this subchapter:

(1) "Coordinating board" means the Texas Higher Education Coordinating Board.

(2) "Institution of higher education" has the meaning assigned by Section 61.003.

Sec. 51.502. DISCLOSURE OF FOREIGN FUNDING. Not later than September 1 of each year, each institution of higher education shall submit to the coordinating board a report on the funding received by the institution from a foreign entity during the preceding academic year.

Sec. 51.503. PROHIBITION ON ACCEPTING GIFTS, GRANTS, OR DONATIONS FROM CERTAIN FOREIGN ENTITIES. An institution of higher education may not accept a gift, grant, or donation from the government of China or a company or other entity directly or indirectly controlled by the government of China.

Sec. 51.504. TRAINING ON ESPIONAGE AND INTELLECTUAL PROPERTY THEFT PREVENTION. (a) Each institution of higher

1 education shall require each researcher at the institution to  
2 complete training on the prevention of espionage and intellectual  
3 property theft.

4 (b) The training must include instruction on:

5 (1) an understanding of the current national security  
6 risks related to espionage and intellectual property theft;

7 (2) the methods used in espionage and intellectual  
8 property theft;

9 (3) the signs of espionage and intellectual property  
10 theft;

11 (4) measures to protect sensitive information and  
12 intellectual property; and

13 (5) procedures for reporting suspected incidents of  
14 espionage or intellectual property theft.

15 (c) The training must be provided in conjunction with any  
16 other training required for researchers at the institution of  
17 higher education provided by the institution's information  
18 security office.

19 Sec. 51.505. REPORTING SYSTEM. Each institution of higher  
20 education shall establish a reporting system for students, faculty,  
21 and staff to report to the institution suspicious activity that may  
22 be related to espionage or intellectual property theft.

23 Sec. 51.506. RULES. The coordinating board shall adopt  
24 rules necessary to implement this subchapter.

25 SECTION 2. Not later than September 1, 2024, each public  
26 institution of higher education shall:

27 (1) submit the initial report required under Section

1 51.502, Education Code, as added by this Act; and

2 (2) ensure that each researcher at the institution has  
3 completed the training required by Section 51.504, Education Code,  
4 as added by this Act.

5 SECTION 3. This Act takes effect September 1, 2023.