

1-1 By: Parker, et al. S.B. No. 1537
 1-2 (In the Senate - Filed March 3, 2023; March 16, 2023, read
 1-3 first time and referred to Subcommittee on Higher Education;
 1-4 May 10, 2023, reported favorably from Committee on Education by the
 1-5 following vote: Yeas 11, Nays 0; May 10, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15				X
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20			X	

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to measures to prevent espionage and intellectual property
 1-24 theft at public institutions of higher education.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Chapter 51, Education Code, is amended by adding
 1-27 Subchapter J to read as follows:

1-28 SUBCHAPTER J. ESPIONAGE AND INTELLECTUAL PROPERTY THEFT PREVENTION

1-29 Sec. 51.501. DEFINITIONS. In this subchapter:

1-30 (1) "Coordinating board" means the Texas Higher
 1-31 Education Coordinating Board.

1-32 (2) "Institution of higher education" has the meaning
 1-33 assigned by Section 61.003.

1-34 Sec. 51.502. DISCLOSURE OF FOREIGN FUNDING. Not later than
 1-35 September 1 of each year, each institution of higher education
 1-36 shall submit to the coordinating board a report on the funding
 1-37 received by the institution from a foreign entity during the
 1-38 preceding academic year.

1-39 Sec. 51.503. PROHIBITION ON ACCEPTING GIFTS, GRANTS, OR
 1-40 DONATIONS FROM CERTAIN FOREIGN ENTITIES. An institution of higher
 1-41 education may not accept a gift, grant, or donation from the
 1-42 government of China or a company or other entity directly or
 1-43 indirectly controlled by the government of China.

1-44 Sec. 51.504. TRAINING ON ESPIONAGE AND INTELLECTUAL
 1-45 PROPERTY THEFT PREVENTION. (a) Each institution of higher
 1-46 education shall require each researcher at the institution to
 1-47 complete training on the prevention of espionage and intellectual
 1-48 property theft.

1-49 (b) The training must include instruction on:

1-50 (1) an understanding of the current national security
 1-51 risks related to espionage and intellectual property theft;

1-52 (2) the methods used in espionage and intellectual
 1-53 property theft;

1-54 (3) the signs of espionage and intellectual property
 1-55 theft;

1-56 (4) measures to protect sensitive information and
 1-57 intellectual property; and

1-58 (5) procedures for reporting suspected incidents of
 1-59 espionage or intellectual property theft.

1-60 (c) The training must be provided in conjunction with any
 1-61 other training required for researchers at the institution of

2-1 higher education provided by the institution's information
2-2 security office.

2-3 Sec. 51.505. REPORTING SYSTEM. Each institution of higher
2-4 education shall establish a reporting system for students, faculty,
2-5 and staff to report to the institution suspicious activity that may
2-6 be related to espionage or intellectual property theft.

2-7 Sec. 51.506. RULES. The coordinating board shall adopt
2-8 rules necessary to implement this subchapter.

2-9 SECTION 2. Not later than September 1, 2024, each public
2-10 institution of higher education shall:

2-11 (1) submit the initial report required under Section
2-12 51.502, Education Code, as added by this Act; and

2-13 (2) ensure that each researcher at the institution has
2-14 completed the training required by Section 51.504, Education Code,
2-15 as added by this Act.

2-16 SECTION 3. This Act takes effect September 1, 2023.

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