

BILL ANALYSIS

Senate Research Center
89R21284 CXP-D

C.S.S.B. 1273
By: Hughes
Education K-16
3/25/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In recent years, we have seen increased attempts to steal intellectual capital at our higher education institutions. As Texas continues to conduct robust and cutting-edge research, we must also strengthen security protocols across our university systems.

The 88th Legislature passed S.B. 1565, which required the governing body of each higher education institution to establish a policy framework that addresses research security and designate a research security officer (RSO) responsible for the handling of classified material.

S.B. 1273 would build upon the work from the last session by creating a Texas Higher Education Research Security Council that will make a quarterly convening council of RSOs to develop state-wide research security protocols, establish accreditation for security excellence, create an annual training program for tier-one universities, and submit an annual report to the relevant committees and the attorney general of Texas. This collaborative effort will allow Texas to continue to be a national leader, ensuring Texas research is easy to conduct and hard to steal.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 1273 amends current law relating to establishing the Higher Education Research Security Council.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.957, as follows:

Sec. 51.957. HIGHER EDUCATION RESEARCH SECURITY COUNCIL. (a) Defines "council," "postsecondary educational institution," and "tier one research institution."

(b) Provides that the Higher Education Research Security Council (council) is established to promote secure academic research at tier one research institutions while mitigating the risk of foreign espionage and interference.

(c) Provides that the council is composed of each research security officer designated under Section 51.956 (Policy Framework for Research Security) and a research security officer designated by each private or independent institution of higher education, as defined by Section 61.003 (Definitions), that elects to participate in the council.

(d) Provides that a council member serves at the will of the person who designated the member.

(e) Requires that a vacancy on the council be filled in the same manner as the original designation.

(f) Requires the council member designated under Section 51.956 for the Texas A&M University System (system) to serve as the initial presiding officer of the council.

(g) Requires the council to identify best practices for a tier one research institution to conduct research securely while mitigating the threat of foreign espionage and interference, develop a research security policy that a tier one research institution is required to adopt to improve research security, establish an accreditation process under which the council is required to award a tier one research institution an accreditation for security excellence, promote attendance at the annual academic security and counter exploitation program seminar offered by the system, and develop and offer an annual training program for tier one research institution security officers that includes certain components.

(h) Requires the council to meet at least once each quarter.

(i) Requires that a meeting conducted under Subsection (h) be in person or by video conference call, as determined by the presiding officer.

(j) Requires the council to prepare and submit to the Office of the Attorney General, and to the presiding officer of each legislative committee with primary jurisdiction over higher education an annual report on the status of research security at tier one research institutions and any associated recommendations.

(k) Provides that a report submitted under Subsection (j) is confidential and is not subject to disclosure under Chapter 552 (Public Information), Government Code.

(l) Authorizes the council to solicit and accept gifts, grants, and donations for purposes of this section but prohibits the council from soliciting or accepting a gift, grant, or donation from an entity or country:

(1) prohibited from participating in federal contracts under Section 889, John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. No. 115-232)

(2) identified as a Chinese military company by the United States Department of Defense in accordance with Section 1260H, William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Pub. L. No. 116-283);

(3) owned by the government of a country designated as a foreign adversary by the United States secretary of commerce under 15 C.F.R. Section 791.4; or

(4) controlled by a governing or regulatory body located in a country described by Subdivision (3).

SECTION 2. (a) Requires the appropriate entities, not later than October 1, 2025, to designate the members of the council established under Section 51.957, Education Code, as added by this Act.

(b) Requires the council established under Section 51.957, Education Code, as added by this Act, to hold its initial meeting not later than January 1, 2026.

SECTION 3. Effective date: September 1, 2025.