

By: Wilson

H.B. No. 4762

Substitute the following for H.B. No. 4762:

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C.S.H.B. No. 4762

A BILL TO BE ENTITLED

AN ACT

relating to establishing the Higher Education Research Security Council.

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

SECTION 1. Subchapter 2, Chapter 51, Education Code, is amended by adding Section 51.957 to read as follows:

Sec. 51.957. HIGHER EDUCATION RESEARCH SECURITY COUNCIL.

(a) In this section:

(1) "Council" means the Higher Education Research Security Council established under this section.

(2) "Postsecondary educational institution" means an institution of higher education or a private or independent institution of higher education, as those terms are defined by Section 61.003.

(3) "Tier one research institution" means a postsecondary educational institution in this state designated as R1: very high spending and doctorate production in the 2025 Carnegie Classification of Institutions of Higher Education published by the Indiana University Center for Postsecondary Research.

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

1 (c) The council is composed of:

2 (1) each research security officer designated under
3 Section 51.956; and

4 (2) a research security officer designated by each
5 private or independent institution of higher education, as defined
6 by Section 61.003, that elects to participate in the council.

7 (d) A council member serves at the will of the person who
8 designated the member.

9 (e) A vacancy on the council shall be filled in the same
10 manner as the original designation.

11 (f) The council member designated under Section 51.956 for
12 The Texas A&M University System shall serve as the initial
13 presiding officer of the council.

14 (g) The council shall:

15 (1) identify best practices for a tier one research
16 institution to conduct research securely while mitigating the
17 threat of foreign espionage and interference;

18 (2) develop a research security policy that a tier one
19 research institution shall adopt to improve research security;

20 (3) establish an accreditation process under which the
21 council shall award a tier one research institution an
22 accreditation for security excellence;

23 (4) promote attendance at the annual academic security
24 and counter exploitation program seminar offered by The Texas A&M
25 University System; and

26 (5) develop and offer an annual training program for
27 tier one research institution security officers that includes:

1 (A) background and academic history checks of
2 researchers; and

3 (B) research security and integrity tools and
4 software that must be used to prevent the loss of intellectual
5 capital.

6 (h) The council shall meet at least once each quarter.

7 (i) A meeting conducted under Subsection (h) must be in
8 person or by video conference call, as determined by the presiding
9 officer.

10 (j) The council shall prepare and submit to the governor,
11 the attorney general's office, and the presiding officer of each
12 legislative committee with primary jurisdiction over higher
13 education an annual report on the status of research security at
14 tier one research institutions and any associated recommendations.

15 (k) A report submitted under Subsection (j) is confidential
16 and is not subject to disclosure under Chapter [552](#), Government
17 Code.

18 (l) The council may solicit and accept gifts, grants, and
19 donations for purposes of this section but may not solicit or accept
20 a gift, grant, or donation from an entity or country:

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

24 (2) identified as a Chinese military company by the
25 United States Department of Defense in accordance with Section
26 1260H, William M. (Mac) Thornberry National Defense Authorization
27 Act for Fiscal Year 2021 (Pub. L. No. 116-283);

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

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

6 SECTION 2. (a) Not later than October 1, 2025, the
7 appropriate entities shall designate the members of the Higher
8 Education Research Security Council established under Section
9 51.957, Education Code, as added by this Act.

10 (b) Not later than January 1, 2026, the Higher Education
11 Research Security Council established under Section 51.957,
12 Education Code, as added by this Act, shall hold its initial
13 meeting.

14 SECTION 3. This Act takes effect September 1, 2025.