

1-1 By: Thompson of Harris, et al. H.B. No. 15  
 1-2 (Senate Sponsor - Kolthorst, Alvarado, Gutierrez)  
 1-3 (In the Senate - Received from the House April 28, 2021;  
 1-4 May 10, 2021, read first time and referred to Committee on Health &  
 1-5 Human Services; May 22, 2021, reported adversely, with favorable  
 1-6 Committee Substitute by the following vote: Yeas 8, Nays 0;  
 1-7 May 22, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
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 COMMITTEE SUBSTITUTE FOR H.B. No. 15 By: Blanco

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to the creation of the Texas brain university research  
 1-23 initiative.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Chapter 61, Education Code, is amended by adding  
 1-26 Subchapter 00 to read as follows:

1-27 SUBCHAPTER 00. TEXAS BRAIN UNIVERSITY RESEARCH INITIATIVE

1-28 Sec. 61.9971. DEFINITIONS. In this subchapter:

1-29 (1) "Advisory board" means the Texas brain university  
 1-30 research initiative advisory board.

1-31 (2) "Distinguished researcher" means a researcher who  
 1-32 is an expert in:

1-33 (A) the causes of and prevention, treatment,  
 1-34 rehabilitation, and cures for brain-related diseases, syndromes,  
 1-35 disorders, dysfunction, injuries, developmental issues,  
 1-36 neurological health issues, mental and behavioral health issues,  
 1-37 and substance abuse disorders and other addictions; or

1-38 (B) any other area impacting the brain, including  
 1-39 an area that directly or indirectly impacts or is impacted by the  
 1-40 brain or brain health, such as the gut microbiome, nutrition, and  
 1-41 the spinal cord or nervous system.

1-42 (3) "Eligible institution" means a general academic  
 1-43 teaching institution or health-related institution.

1-44 (4) "Fund" means the Texas brain university research  
 1-45 initiative fund established under this subchapter.

1-46 (5) "Health-related institution" means a medical and  
 1-47 dental unit and any other public health science center, public  
 1-48 medical school, or public dental school established by statute or  
 1-49 in accordance with this chapter.

1-50 Sec. 61.9972. ADMINISTRATION OF INITIATIVE. (a) The Texas  
 1-51 brain university research initiative is administered by the board.

1-52 (b) From the Texas brain university research initiative  
 1-53 fund, the board shall award matching grants to assist eligible  
 1-54 institutions in recruiting distinguished researchers.

1-55 (c) The board may adopt any rules the board considers  
 1-56 necessary to administer this subchapter.

1-57 Sec. 61.9973. MATCHING GRANTS. (a) An eligible  
 1-58 institution may apply to the board for a matching grant from the  
 1-59 fund. Before approval or disapproval of a grant application, the  
 1-60 board shall consider the recommendation of the advisory board

2-1 regarding the grant proposal. If the board approves a grant  
 2-2 application, the board shall award to the applicant institution a  
 2-3 grant amount equal to the amount committed by the institution for  
 2-4 the recruitment of a distinguished researcher, except as provided  
 2-5 by Subsection (c)(2).

2-6 (b) A grant application must identify the source and amount  
 2-7 of the eligible institution's matching funds and must demonstrate  
 2-8 that the proposed use of the grant has the support of the  
 2-9 institution's president and of the institution's governing board,  
 2-10 the chair of the institution's governing board, or the chancellor  
 2-11 of the university system, if the institution is a component of a  
 2-12 university system. An applicant eligible institution may commit  
 2-13 for matching purposes any funds of the institution available for  
 2-14 that purpose other than appropriated general revenue.

2-15 (c) The board may set a deadline for grant applications for  
 2-16 each state fiscal year. After fully funding approved grant  
 2-17 applications received during an application period for a state  
 2-18 fiscal year, the board may reopen applications for that year and:

2-19 (1) award the full amount of matching funds from the  
 2-20 fund for new applications; or

2-21 (2) approve previously disapproved applications  
 2-22 submitted before the original application deadline for receipt of a  
 2-23 reduced grant amount.

2-24 (d) A matching grant received by an eligible institution  
 2-25 under this subchapter may not be considered as a basis to reduce,  
 2-26 directly or indirectly, the amount of money otherwise appropriated  
 2-27 to the institution.

2-28 (e) A matching grant may not be used by an eligible  
 2-29 institution to recruit a distinguished researcher or other employee  
 2-30 from:

2-31 (1) another eligible institution; or

2-32 (2) a private or independent institution of higher  
 2-33 education.

2-34 (f) The board shall require an application and all  
 2-35 supporting documentation to be submitted to the board  
 2-36 electronically in the manner prescribed by the board.

2-37 Sec. 61.9974. GRANT AWARD CRITERIA; PRIORITIES. (a) In  
 2-38 awarding grants, the board shall give priority to proposals that:

2-39 (1) involve the recruitment of distinguished  
 2-40 researchers, including researchers who study mental and behavioral  
 2-41 health issues arising from the COVID-19 pandemic; or

2-42 (2) demonstrate a reasonable likelihood of  
 2-43 contributing substantially to this state's national and global  
 2-44 economic competitiveness.

2-45 (b) A grant proposal should identify a specific  
 2-46 distinguished researcher being recruited.

2-47 Sec. 61.9975. TEXAS BRAIN UNIVERSITY RESEARCH INITIATIVE  
 2-48 FUND. (a) The Texas brain university research initiative fund is a  
 2-49 dedicated account in the general revenue fund.

2-50 (b) The fund consists of:

2-51 (1) amounts appropriated or otherwise allocated or  
 2-52 transferred by law to the fund; and

2-53 (2) gifts, grants, and other donations received for  
 2-54 the fund.

2-55 (c) The fund may be used by the board only for the purposes  
 2-56 of this subchapter, including for necessary expenses incurred in  
 2-57 the administration of the fund and this subchapter.

2-58 Sec. 61.9976. CONFIDENTIALITY. Information collected or  
 2-59 obtained by the board or the advisory board concerning the identity  
 2-60 of a particular distinguished researcher who is the subject of a  
 2-61 grant proposal under this subchapter is confidential unless the  
 2-62 researcher and the applicant eligible institution consent to  
 2-63 disclosure of the information. The information remains  
 2-64 confidential until the date, if any, on which the researcher enters  
 2-65 into an employment relationship with the recruiting institution as  
 2-66 contemplated in the grant proposal.

2-67 Sec. 61.9977. ADVISORY BOARD. (a) The Texas brain  
 2-68 university research initiative advisory board is established to  
 2-69 assist the board with the review and evaluation of applications for

3-1 funding of grant proposals under this subchapter. The advisory  
3-2 board shall make recommendations to the board for approval or  
3-3 disapproval of those applications.

3-4 (b) The advisory board must be composed of at least nine  
3-5 members appointed by the governor. Of the members of the board:

3-6 (1) one-third of the members, as nearly as possible,  
3-7 must have a background in finance;

3-8 (2) one-third of the members, as nearly as possible,  
3-9 must have an academic background in science, medicine, or brain  
3-10 health; and

3-11 (3) one-third of the members, as nearly as possible,  
3-12 must be public members.

3-13 (c) Chapter 2110, Government Code, does not apply to the  
3-14 size, composition, or duration of the advisory board.

3-15 (d) A member of the advisory board who is or has been  
3-16 employed by, is or has been a party to a contract for any purpose  
3-17 with, or is a student or former student of an applicant eligible  
3-18 institution may not be involved in the review, evaluation, or  
3-19 recommendation of a grant proposal made by that institution.

3-20 (e) An advisory board member is not required to be a  
3-21 resident of this state.

3-22 (f) Appointments to the advisory board shall be made without  
3-23 regard to the race, color, disability, sex, religion, age, or  
3-24 national origin of the appointees.

3-25 (g) Members of the advisory board serve without  
3-26 compensation but are entitled to reimbursement for actual and  
3-27 necessary expenses in attending meetings of the advisory board or  
3-28 performing other official duties authorized by the board.

3-29 SECTION 2. This Act takes effect immediately if it receives  
3-30 a vote of two-thirds of all the members elected to each house, as  
3-31 provided by Section 39, Article III, Texas Constitution. If this  
3-32 Act does not receive the vote necessary for immediate effect, this  
3-33 Act takes effect September 1, 2021.

3-34 \* \* \* \* \*