

## **BILL ANALYSIS**

Senate Research Center  
82R9081 DAK-D

S.B. 1047  
By: Jackson  
Economic Development  
3/21/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

This legislation will add an innovation and commercialization center located at the Lyndon B. Johnson Space Center of the National Aeronautics and Space Administration to the list of institutions eligible to apply for funds administered by the Emerging Technology Fund.

As proposed, S.B. 1047 amends current law relating to the eligibility of an innovation and commercialization organization associated with the Lyndon B. Johnson Space Center to receive funding from the Texas emerging technology fund.

### **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 Section 490.001, Government Code, by adding Subdivision (5) to define "research institution."

SECTION 2. Amends Section 490.151(a), Government Code, to require that amounts allocated from the Texas emerging technology fund (fund) for use as provided by this subchapter be reserved for incentives for private or nonprofit entities to collaborate with research institutions in this state or private institutions of higher education in this state, rather than with public or private institutions of higher education in this state, on emerging technology projects with a demonstrable economic benefit to this state.

SECTION 3. Amends Section 490.152(d), Government Code, as follows:

(d) Requires the Texas Emerging Technology Advisory Committee (committee), subject to the availability of suitable partners and resources, to propose and initiate the establishment of a regional center of innovation and commercialization in certain counties and at the Lyndon B. Johnson Space Center of the National Aeronautics and Space Administration. Makes nonsubstantive changes.

SECTION 4. Amends Section 490.251, Government Code, to require that amounts allocated from the fund for use as provided by this subchapter be used to acquire new or enhance existing research superiority at research institutions, rather than at public institutions of higher education, in this state.

SECTION 5. Amends Section 490.252, Government Code, to provide that for purposes of this subchapter, the employment by a research institution, rather than an institution of higher education, of one or more world-class or nationally recognized researchers and associated assistants in an industry eligible to receive funding under Section 490.003 is considered "research superiority."

SECTION 6. Amends Section 490.253(a), Government Code, as follows:

(a) Requires the committee to review and consider proposals by research institutions, rather than public institutions of higher education, for:

- (1) creating new research superiority;
- (2) attracting existing research superiority from institutions not located in this state and other research entities; or
- (3) enhancing existing research superiority by attracting from outside this state additional researchers and resources.

SECTION 7. Amends Section 490.256(a), Government Code, to prohibit a research institution, rather than an institution of higher education, from knowingly attempting to attract an individual key researcher or research superiority identified for consideration for funding by another research institution in this state or a private institution of higher education in this state, rather than a public or private institution of higher education in this state, under this subchapter.

SECTION 8. Amends Section 490.257(a), Government Code, to require a research institution, rather than a public institution of higher education, to document specific benefits that this state may expect to gain as a result of attracting the research superiority before the institution may enter into a contract to receive funding or incentives under this subchapter.

SECTION 9. Effective date: upon passage or September 1, 2011.