

## **BILL ANALYSIS**

Senate Research Center

S.B. 1565  
By: Hughes  
Education  
6/14/2023  
Enrolled

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

In recent years we have seen an increase in attempted theft of our 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.

S.B. 1565 lays the groundwork for creating a secure and collaborative environment among our higher education institutions. It will require the governing body of each higher education institution to establish a policy framework that addresses research security.

The policy framework must:

1. Address compliance with ethical, legal, regulatory, and contractual requirements.
2. Promote an organizational culture of compliance in relation to federal requirements and federal funding.
3. Designate a research security officer responsible for the handling of classified material.

The committee substitute to S.B. 1565 makes the bill a Legislative Council draft and adds one additional requirement: that the research security officers meet annually at the Texas A&M University academic security conference.

S.B. 1565 amends current law relating to requiring the establishment of policy frameworks for research security at public institutions of higher education.

### **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 51.956, as follows:

Sec. 51.956. POLICY FRAMEWORK FOR RESEARCH SECURITY. (a) Defines "governing board," "institution of higher education," and "university system."

(b) Requires the governing board of each institution of higher education to establish a policy framework that promotes secure academic research at the institution while mitigating the risk of foreign espionage and interference. Requires the governing board of a university system to establish a separate policy framework for each institution of higher education under the governing board's management and control.

(c) Requires that the policy framework address:

(1) achieving the highest level of compliance with applicable ethical, legal, regulatory, contractual, and system standards and requirements for securing and protecting the institution's research portfolios;

(2) promoting within the institution an organizational culture of compliance with federal requirements to ensure the institution maintains eligibility for federal funding; and

(3) designating a person to serve as a research security officer responsible for maintaining classified information, maintain controlled unclassified information, conducting foreign influence reporting, and addressing other issues at the institution associated with the goals of the policy framework.

(d) Authorizes the governing board of a university system to designate a person to serve in an institutional or system-wide capacity for purposes of designating a person to serve as a research security officer under Subsection (c)(3).

(e) Requires a person designated to serve as a research security officer under Subsection (c)(3) to attend the annual academic security and counter exploitation program seminar offered by Texas A&M University.

SECTION 2. Requires the governing board of each public institution of higher education, as soon as practicable after the effective date of this Act, to establish the policy framework for research security required under Section 51.956, Education Code, as added by this Act.

SECTION 3. Effective date: September 1, 2023.