



Assemblyman Brian Nestande

42nd District

Taxpayer Access to Publicly Funded Research Fact Sheet

What is the background of this proposal?

California's taxpayers invest hundreds of millions of dollars annually in research. State research funding includes research and development by universities and state agencies, as well as efforts such as the California Institute for Regenerative Medicine (CIRM) and specific disease research programs. These state-funded research projects have the potential to accelerate the pace of new scientific discoveries, encourage innovation, enrich education, solve human health issues, and stimulate the economy. However, this research only advances knowledge and benefits the public when the results are shared with others.

Upon completion of a project, researchers write an article explaining the background, methods, and results of the study. These articles are submitted to academic journals, which have editorial boards comprised of professional researchers. The editors select reviewers for submitted articles, evaluate the reviewers' reports, decide whether or not to accept the articles, and organize all the submitted articles into volumes. The editors submit the volumes of accepted articles to the publisher, who then undertakes the job of actually publishing them. The publisher supplies some administrative assistance in handling the papers, as well as some copy-editing assistance. From the publisher's viewpoint, the editors and reviewers are volunteers, as their work is regarded as part of the service component of a scholar's academic work and their time is paid for by the university or government agency that they work for. Additionally, authors are not paid by the publishers for their published articles, although it is standard practice to sign over the copyright to the publisher.

What is the problem to be addressed?

The value of California's investment in research is only maximized with wide use of these results. People wishing to use these research results include healthcare providers, college students and professors, high school students taking STEM classes, biotech professionals, and interested citizens. Unfortunately, most research results are not available to all of these potential users because the vast majority of research funded with public dollars is available only with costly journal subscriptions, institutional licenses, or per article purchases. Single articles cost an individual approximately \$30 each, and some journals cost schools up to \$40,000 every year. The 10-campus University of California system spends nearly \$40 million each year to buy access to academic journals, even though many of the articles are written, reviewed, and edited by UC professors as part of their research or academic scholarly duties.

California's taxpayers fund this research and they have a right to expect that the results are available, and that they themselves have access to published results. If we want California to remain at the forefront of cutting-edge discoveries and innovations, we must make sure that this information is available to those who can translate this knowledge into public benefits.

What is the origin of this bill idea?

A Science and Technology Fellow in Assemblymember Nestande's office developed this bill idea after discovering that several of her contemporaries in medical and biotech professions were unable to access the latest research articles, which negatively impacted their ability to help patients and develop cutting-edge technologies.

What does this bill do?

This bill will ensure that the public can access the published results of taxpayer-funded research for free. Specifically, it will require each researcher receiving a state-funded grant to submit an electronic copy of the work resulting from that



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grant and accepted for publication. No later than six months after publication, that work would become openly accessible, free of charge, to the public through the California State Library. This will not affect intellectual property rights. An online bibliography of all the research papers publically accessible under this policy would be produced, and each entry would be linked to the corresponding free online text. To facilitate discovery and innovation, this bill would also require primary data to be submitted to appropriate public archives. As an example, information about many of these archives can be found at MIBBI: Minimum Information for Biological and Biomedical Investigations (www.mibbi.org). To ensure privacy protection, any data that has the potential to reveal a person's identity would be excluded from this data submission requirement. Together, this will enhance the reach of California-based research, promote access to all residents, and lower costs for schools and libraries.

Success story: National Institutes of Health (NIH)

The National Institutes of Health (NIH), located in Bethesda, MD, is the world's largest research grant agency. In 2008, NIH adopted the Public Access Policy, which mandates that every paper written with the support of NIH grant money must be freely and publicly available no later than 12 months after the official date of publication. More than 2.4 million articles have been deposited to the National Library of Medicine's PubMed Central through this Public Access Policy, 99% of which have been downloaded at least once. 700,000 unique users visit PubMed Central each day. 25% of the visitors are university users, 40% are from the general public, 17% are from companies, and the remainder are government employees. This NIH policy successfully provides a remarkable resource, namely free public online access to articles, to a wide range of taxpayers. It should be expanded to include articles resulting from research funded by California taxpayers.

Which code section(s) does this bill affect?

Part 4.5 of Division 3 of Title 2 of the Government Code, relating to state government

Support

None on File

Opposition

None on File

Who is the staff contact for this bill?

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