

SECOND REGULAR SESSION

HOUSE BILL NO. 2555

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PEARCE (Sponsor), FLOOK, GRISAMORE, WILSON (119),
SCHARNHORST AND MOORE (Co-sponsors).

Read 1st time April 1, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5542L.01I

AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to the entrepreneurial development council.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 620, RSMo, is amended by adding thereto one new section, to be
2 known as section 620.050, to read as follows:

620.050. 1. There is hereby created, within the department of economic
2 development, the "Entrepreneurial Development Council". The entrepreneurial
3 development council shall consist of seven members from businesses located within the
4 state and licensed attorneys with specialization in intellectual property matters. All
5 members of the council shall be appointed by the governor with the advice and consent of
6 the senate. The terms of membership shall be set by the department of economic
7 development by rule as deemed necessary and reasonable. Once the department of
8 economic development has set the terms of membership, such terms shall not be modified
9 and shall apply to all subsequent members.

10 2. The entrepreneurial development council may, as provided by department rule,
11 impose a registration fee for entrepreneurs of this state who desire to avail themselves of
12 benefits, provided by the council, to registered entrepreneurs.

13 3. There is hereby established in the state treasury, the "Entrepreneurial
14 Development and Intellectual Property Right Protection Fund" to be held separate and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 apart from all other public moneys and funds of the state. The entrepreneurial
16 development and intellectual property right protection fund may accept state and federal
17 appropriations, grants, bequests, gifts, fees and awards to be held for use by the
18 entrepreneurial development council. Notwithstanding provisions of section 33.080,
19 RSMo, to the contrary, moneys remaining in the fund at the end of any biennium shall not
20 revert to general revenue.

21 4. Upon notification of an alleged infringement of intellectual property rights of a
22 entrepreneur, the entrepreneurial development council shall evaluate such allegations of
23 infringement and may, based upon need, award grants or financial assistance to subsidize
24 legal expenses incurred in instituting legal action necessary to remedy the alleged
25 infringement. Pursuant to rules promulgated by the department, the entrepreneurial
26 development council may allocate moneys from entrepreneurial development and
27 intellectual property right protection fund, in the form of low interest loans and grants, to
28 registered entrepreneurs for the purpose of providing financial aid for product
29 development, manufacturing, and advertising of new products.

30 5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
31 that is created under the authority delegated in this section shall become effective only if
32 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
33 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
34 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
35 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
36 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
37 adopted after August 28, 2008, shall be invalid and void.

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