

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 987
95TH GENERAL ASSEMBLY

5200L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 172.794, RSMo, and to enact in lieu thereof two new sections relating to higher education research projects.

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

Section A. Section 172.794, RSMo, is repealed and two new section enacted in lieu thereof, to be known as sections 172.794 and 173.1205, to read as follows:

172.794. 1. The board of curators, with the recommendations of the advisory board, shall award funds to selected investigators in accordance with the following provisions:

(1) Individual awards shall not exceed **two hundred** fifty thousand dollars per year and shall expire at the end of one or two years, depending on the recommendation of the advisory board for each award;

(2) Costs for overhead of the grantee individual or institution shall not be allowed;

(3) Investigators shall be affiliated with a public or private educational, health care, voluntary health association or research institution which shall specify the institutional official responsible for administration of the award;

(4) Awards shall be used to obtain preliminary data to test hypotheses and to enable investigators to develop subsequent competitive applications for long-term funding from other sources; and

(5) The research project shall be conducted in Missouri.

2. Funds appropriated for but not awarded to research projects in any given year shall be included in the board of curators' appropriations request for research projects in the succeeding year.

173.1205. 1. Notwithstanding any other provision of law, a for-profit or not-for-profit entity in which a public institution of higher education holds an ownership

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.

3 or membership interest shall not be deemed to be a public governmental body, quasi-public
4 governmental body, or part of a public governmental body or quasi-public governmental
5 body or otherwise subject to chapter 610, if such entity is engaged primarily in activities
6 involving current or prospective commercialization of the skills or knowledge of the
7 institution's faculty or of the institution's research, research capabilities, intellectual
8 property, technology, or technological resources, provided that the public institution of
9 higher education maintains as an open record an annual report, available no later than
10 October first each year, identifying:

11 (1) The name and address of the entity, the amount of funds paid to such entity by
12 the institution, any nonmonetary benefits received by the entity from the institution, and
13 the purpose for which such funds were paid or benefits provided;

14 (2) The amount of funds received by the institution from such entity; and

15 (3) Any employees of the institution who received funds or other things of value
16 from such entity and the purpose and amount of such funds or other things of value.

17 2. This provision shall not be construed to broaden the definition of public
18 governmental body found in section 610.010, nor shall it otherwise be construed to mean,
19 imply, or suggest that any entity constitutes a public governmental body unless such entity
20 meets the definition of that term found in section 610.010.

21 3. Notwithstanding any other provision of law, meetings, records, and votes may
22 be closed to the extent that they relate to records or information submitted by an
23 individual, corporation, or other business entity to a public institution of higher education
24 in connection with a proposal or agreement to license intellectual property or perform
25 sponsored research, in connection with opportunities for or results of collaboration
26 involving students, faculty, or staff, or in connection with activities by the public institution
27 of higher education to promote or pursue economic development and which contain sales
28 projections or other business plan, financial information, or trade secrets the disclosure of
29 which may endanger the competitiveness of a business.

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