

FIRST REGULAR SESSION

HOUSE BILL NO. 711

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LOVASCO.

1572H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to the public domain preservation act.

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

Section A. Chapter 1, RSMo, is amended by adding thereto one new section, to be known as section 1.1010, to read as follows:

1.1010. 1. This section shall be known and may be cited as the "Public Domain Preservation Act".

2. If produced as part of a person's official duties, federal copyright or patent protection shall not be asserted for judicial opinions; administrative rulings; legislative enactments; public ordinances; or any other material produced by an officer, employee, director, board member, or agent of the state of Missouri, any state department, political subdivision, or special district of this state.

3. Federal copyright or patent protection shall not be asserted for any research, discovery, or invention that was discovered, documented, or published by an employee of any public school, as that term is defined in section 160.011, or state institution of higher education, as named in section 174.020, during his or her term of employment and on premises owned or controlled by the state of Missouri or any of its political subdivisions.

4. If the state or any of its political subdivisions enact a statute, ordinance, or administrative rule that incorporates by reference any third-party standard or code otherwise subject to copyright protection, the state or political subdivision responsible for the statute, ordinance, or administrative rule shall provide, free of charge in a digital or physical format, the third-party standard or code incorporated by reference. The state or

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.

18 **political subdivision shall pay all costs associated with providing the third-party standard**
19 **or code, except that the entity may declare that the provisions of the standard or code**
20 **incorporated by reference shall be repealed and not enforced until such repeal is achieved.**

21 **5. Except for the provisions of subsection 3 of this section, this section shall apply**
22 **retroactively.**

23 **6. The provisions of this section shall not preclude this state or any political**
24 **subdivision thereof from receiving and holding copyrights or patents transferred by**
25 **assignment, bequest, or otherwise.**

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