

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 75, Page 21, Section
2 169.715, Line 103, by inserting after all of said section and line the following:
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4 "173.1205. 1. Notwithstanding any other provision of law, a for-profit or not-for-profit
5 entity in which a public institution of higher education holds an ownership or membership interest
6 shall not be deemed to be a public governmental body, quasi-public governmental body, or part of a
7 public governmental body or quasi-public governmental body or otherwise subject to chapter 610, if
8 such entity is engaged primarily in activities involving current or prospective commercialization of
9 the skills or knowledge of the institution's faculty or of the institution's research, research
10 capabilities, intellectual property, technology, or technological resources, provided that the public
11 institution of higher education maintains as an open record an annual report, available no later than
12 October first each year, identifying:

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

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

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

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

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

Action Taken _____ Date _____

1 information, or trade secrets the disclosure of which may endanger the competitiveness of a
2 business."; and
3
4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.