

S.B. NO. 1219

JAN 27 2021

A BILL FOR AN ACT

RELATING TO UNIVERSITY OF HAWAII RESEARCH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Act 39, Session Laws of Hawaii 2017, provided
2 the University of Hawaii with express statutory authority to
3 enable and facilitate the deployment of university educational
4 and instructional resources, university managerial and fiscal
5 resources, and university personnel to promote the economic
6 health and diversification of workforce opportunities in the
7 State through the commercialization of inventions and
8 discoveries generated by or at the University of Hawaii. Act
9 39, Session Laws of Hawaii 2017, also included a repeal date of
10 June 30, 2021.

11 The purpose of this Act is to remove the repeal date in Act
12 39, Session Laws of Hawaii 2017.

13 SECTION 2. Act 39, Session Laws of Hawaii 2017, is amended
14 by amending section 3 to read as follows:

15 "SECTION 3. This Act shall take effect on July 1, 2017[
16 ~~and shall be repealed on June 30, 2021~~]."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken.

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1 SECTION 4. This Act, upon its approval, shall take effect
2 on June 29, 2021.

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INTRODUCED BY: 

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BY REQUEST

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Report Title:

University of Hawaii; Commercialization

Description:

Removes the sunset provision in Act 39, Session Laws of Hawaii 2017.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: University of Hawaii

TITLE: A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII RESEARCH.

PURPOSE: Remove the June 30, 2021, sunset date in Act 39, Session Laws of Hawaii (SLH) 2017, to allow the continuation of the Innovation and Commercialization Initiative Program established within the University of Hawaii (University).

MEANS: Amend section 3 of Act 39, SLH 2017.

JUSTIFICATION: The University is the sole system of public higher education in the State. With its array of programs in oceanography, life sciences, sustainability sciences, tropical agriculture and astronomy, among other programs, and with professional schools such as medicine, engineering, and business, the University is the primary public institution in the state engaged in basic and applied research, a significant portion of which is supported by federal funds and external sponsors.

Where inventions or discoveries generated during the course of basic research show potential for commercial promise, the University has secured patents on its inventions. In some cases, the University has licensed the patents to private companies willing to assume further risks to develop the economic potential of the inventions.

Act 39 is recognition that the University has formal statutory authority to actively encourage and identify the inventions or discoveries generated by its research that have commercial potential, and that

University resources can be strategically deployed through structured program activities to transform these discoveries into viable commercial products and businesses.

These activities include instructional programs to develop the managerial and executive level capacity; networking and conference programs to encourage marketing relationships or to showcase promising innovations; a patent and licensing program to secure intellectual property protection and negotiated commercial licenses. Act 39 also formally authorizes the University to participate in and contribute public funds to meet financing and capital requirements of these new enterprises built around UH-generated innovations.

Impact on the public: The public would benefit if the University were allowed to continue to actively encourage, support, and promote commercially viable inventions discovered during the course of research. By transferring technology from the University to the larger society, the University can help diversify and grow the State's economy and diversify workforce opportunities.

Impact on the department and other agencies: The University would be able to continue to collaborate and complement other research commercialization or venture funding programs sponsored by other State agencies such as the Department of Business, Economic Development, and Tourism. There would be a more coordinated statewide effort, less duplication, and the University could emphasize its unique contributions as the generator of research with commercial potential.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION: UOH 900.

OTHER AFFECTED

AGENCIES: Department of Business, Economic
Development, and Tourism;

EFFECTIVE DATE: June 29, 2021.