

1 **SENATE FLOOR VERSION**

2 February 13, 2023

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 214

6 By: Bergstrom

7 An Act relating to funds for health research
8 projects; amending 74 O.S. 2021, Sections 5060.16 and
9 5060.17, which relate to duties of the Oklahoma
10 Center for the Advancement of Science and Technology
11 and the award of professional service contract;
12 requiring the Center to maintain and report certain
13 information; requiring certain binding commitment
14 before awarding certain professional service
15 contract; providing for exception; and providing an
16 effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 74 O.S. 2021, Section 5060.16, is
19 amended to read as follows:

20 Section 5060.16. The Oklahoma Center for the Advancement of
21 Science and Technology, with the advice and consent of the
22 Committee, shall:

23 1. Establish and operate a state program designed to secure and
24 impartially distribute funds credited to the Research Support
Revolving Fund to support professional service contracts for health
research projects;

1 2. Ensure that funding to support health research projects is
2 awarded only on the basis of scientific merit;

3 3. Design the health research program to ensure the optimum
4 performance of the investigator and the maximum efficiency of the
5 project;

6 4. Evaluate and approve health research projects to be funded
7 from the Research Support Revolving Fund;

8 5. Establish a procedure for the referral of proposed health
9 research projects to the Committee for review;

10 6. Establish procedures for review of proposed health research
11 projects by qualified individuals residing outside this state;

12 7. Suspend or terminate any professional service contract
13 supporting health research projects for failure by an investigator,
14 institution of higher learning, or nonprofit research institution to
15 comply with the procedures, requirements, or bylaws of the Center;

16 ~~and~~

17 8. Enter into contracts to ensure the optimum performance of
18 health research investigators and to ensure the maximum efficiency
19 of proposed health research projects;

20 9. Provide a report to the Committee detailing any potential
21 commercial opportunities, if any, for projects receiving funds each
22 fiscal year; and

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1 10. For each fiscal year, maintain records and provide a report
2 to the Committee containing the number of years that each project
3 has been receiving funds.

4 SECTION 2. AMENDATORY 74 O.S. 2021, Section 5060.17, is
5 amended to read as follows:

6 Section 5060.17. No professional service contract shall be
7 awarded by the Oklahoma Center for the Advancement of Science and
8 Technology to support a health research project unless:

9 1. The investigators are residents of this state or become
10 residents of this state before the ninetieth day after a
11 professional service contract, pursuant to which they will be
12 functioning as an investigator, has been funded by the Center;

13 2. The institutions that administer the professional service
14 contracts are primarily located in this state and are able to assume
15 financial responsibility for professional service contracts;

16 3. The professional service contract will not be transferred to
17 any other institutions within the state without the approval of the
18 Center and will not be transferred to an institution outside this
19 state at any time; ~~and~~

20 4. The funds will not be expended for patient care except if
21 patient care is an intrinsic part of a funded professional service
22 contract; and

23 5. A binding commitment is obtained from any institution of
24 higher education, nonprofit research foundation, or private

1 enterprise that would receive funds pursuant to an award providing
2 information on an annual basis for the duration of funding and the
3 five (5) subsequent years, which shall include but not be limited to
4 the following:

- 5 a. employment levels for the year preceding the award and
6 each subsequent year,
- 7 b. any additional funds raised as a direct result of the
8 award,
- 9 c. payroll data resulting from the research,
- 10 d. gross sales or revenue as a direct result of the
11 research, and
- 12 e. relevant industry sector information, as determined by
13 the Center.

14 The Oklahoma Tax Commission shall collaborate with the Center
15 for the reporting of financial data. The Center may provide an
16 exception to the commitment required pursuant to this subsection for
17 certain circumstances that make the providing of data unfeasible,
18 including but not limited to the death of owners or management,
19 dissolution of the enterprise, or abandonment of projects.

20 SECTION 3. This act shall become effective November 1, 2023.

21 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
22 February 13, 2023 - DO PASS AS AMENDED BY CS
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