

HOUSE BILL NO. HB0061

Small business innovation research-matching funds.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to economic development; creating the small
2 business innovation research matching funds program;
3 providing for administration of the program; providing
4 eligibility requirements under the program; providing for
5 repayment of funds awarded under the program as specified;
6 creating the small business innovation research matching
7 funds account; providing rulemaking authority; providing
8 for an appropriation; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 9-12-1401 and 9-12-1402 are created
13 to read:

14

15

ARTICLE 14

1 SMALL BUSINESS INNOVATION RESEARCH

2

3 **9-12-1401. Small business innovation research**
4 **matching funds program; eligibility; rulemaking authority.**

5

6 (a) There is created the Wyoming small business
7 innovation research matching funds program. The program
8 shall match federal funds approved for Wyoming technology
9 based companies by the University of Wyoming research
10 office as provided herein. The program shall be
11 administered by the Wyoming business council in
12 consultation with the University of Wyoming research
13 office.

14

15 (b) To be eligible to receive funding under the
16 program, an entity shall:

17

18 (i) Be headquartered in Wyoming and organized
19 under the laws of the state of Wyoming;

20

21 (ii) Maintain a meaningful nexus to the state of
22 Wyoming, including after commercialization of a product,

1 concept, design or any other marketable asset developed
2 with the assistance of funds from this program;

3

4 (iii) Have received funding under the federal
5 small business innovation research and small business
6 technology transfer programs through the University of
7 Wyoming research office;

8

9 (iv) Propose a product, concept, design or any
10 other marketable asset which has a probability of providing
11 an economic return to the state of Wyoming through creation
12 of jobs, expanded tax base and diversification of the
13 state's economy;

14

15 (v) Provide a report to the Wyoming business
16 council on or before July 1 of each year in the following
17 manner:

18

19 (A) Prior to commercialization, the entity
20 shall report on the progress of the entity to commercialize
21 a product, concept, design or any other marketable asset
22 developed with the assistance of funds from this program;

23

1 (B) If any entity commercializes a product,
2 concept, design or any other marketable asset, and
3 continues to market the product, concept or design or
4 asset, the entity shall report for up to ten (10) years on:

5

6 (I) The number of jobs the entity has
7 created;

8

9 (II) A salary range per job;

10

11 (III) The taxable assets of the
12 entity; and

13

14 (IV) All revenues from sales of the
15 product, concept, design or any other marketable asset of
16 the entity.

17

18 (vi) Comply with the requirements of rules and
19 regulations developed pursuant to this section.

20

21 (c) Matching funds under this section shall be
22 awarded to the recipient as soon as practicable after
23 approval of the matching fund application. Matching funds

1 shall be awarded to recipients as determined by the Wyoming
2 business council in an amount not to exceed:

3

4 (i) For a recipient of a phase I award, a match
5 up to one hundred percent (100%) of the award, not to
6 exceed one hundred thousand dollars (\$100,000.00);

7

8 (ii) For a recipient of a phase II award, a
9 match up to twenty-five percent (25%) of the award, not to
10 exceed two hundred fifty thousand dollars (\$250,000.00).

11

12 (d) An award recipient or its successor in interest
13 shall repay all matching funds awarded under this section
14 if:

15

16 (i) The award recipient commercializes a
17 product, concept, design or any other marketable asset
18 developed with the assistance of funds from this program;
19 and

20

21 (ii) The entity or its successor in interest
22 fails to maintain a significant nexus with the state of
23 Wyoming within ten (10) years of commercializing a product,

1 concept, design or any other marketable asset developed
2 with the assistance of funds from this program and
3 continues to market the product, concept, design or asset.

4

5 (e) The Wyoming business council in consultation with
6 the University of Wyoming research office shall promulgate
7 rules necessary to carry out the provisions of this section
8 and W.S. 9-12-1402. Rules and regulations under this
9 section shall include but not be limited to:

10

11 (i) Application procedures;

12

13 (ii) The number and amount of matching funds
14 available for award in any fiscal year;

15

16 (iii) Timing of issuance of matching funds
17 awarded;

18

19 (iv) Eligibility requirements under the matching
20 fund program as specified in subsection (b) of this
21 section;

22

1 (v) Provide for repayment of matching funds as
2 provided in subsection (d) of this section;

3

4 (vi) Provide for product, concept, design or
5 asset review and requirements under the program consistent
6 with this section.

7

8 (f) Not later than October 15, 2018 and every October
9 15 thereafter, the Wyoming business council and the
10 University of Wyoming research office shall report to the
11 joint minerals, business and economic development interim
12 committee concerning the program. The report shall
13 include:

14

15 (i) A yearly and total summary of the number and
16 amounts of matching funds awarded under the program;

17

18 (ii) A description of every entity and product,
19 concept, design or any other marketable asset developed
20 which was commercialized with the assistance of funds from
21 this program within the prior five (5) years;

22

1 (iii) The realized economic impact of the
2 program on the state, including jobs created, salary range
3 per job created and potential impact to the local
4 community.

5

6 (g) Matching funds repaid under subsection (d) of
7 this section shall be deposited in the small business
8 innovation research matching funds account created by W.S.
9 9-12-1402.

10

11 (h) As used in this section, "commercialization"
12 means the creation by an entity of commercial processes,
13 products, and services derived in whole or in part from
14 research undertaken with matching funds awarded under this
15 section, which results in realized revenues to the entity
16 of at least three (3) times the matching funds awarded
17 under this section.

18

19 **9-12-1402. Small business innovation research**
20 **matching funds account.**

21

22 There is created the Wyoming small business innovation
23 research matching funds program account. Funds shall be

1 credited to the account as provided by law. Funds in the
2 account are continuously appropriated to the Wyoming
3 business council to be used only for matching fund awards
4 authorized to be made under W.S. 9-12-1401.

5

6 **Section 2.** There is appropriated all unexpended,
7 unobligated and unencumbered funds from the Wyoming
8 business council science, technology and energy authority
9 account as of the effective date of this act to the Wyoming
10 small business innovation research matching funds program
11 account.

12

13 **Section 3.** This act is effective July 1, 2016.

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(END)