

By: Nelson
(Schwertner, S. Davis of Harris)

S.B. No. 1421

A BILL TO BE ENTITLED

AN ACT

relating to the awarding of grants provided by the Cancer Prevention and Research Institute of Texas.

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

SECTION 1. Subsection (a), Section 102.256, Health and Safety Code, is amended to read as follows:

(a) The oversight committee shall establish standards that require all grant awards to be subject to an intellectual property agreement that allows the state to collect royalties, income, and other benefits, including interest or proceeds resulting from securities and equity ownership, realized as a result of projects undertaken with money awarded under Subchapter E.

SECTION 2. Section 102.262, Health and Safety Code, is amended to read as follows:

Sec. 102.262. PUBLIC INFORMATION. (a) The following information is public information and may be disclosed under Chapter 552, Government Code:

- (1) the applicant's name and address;
- (2) the amount of funding applied for;
- (3) the type of cancer to be addressed under the proposal; and
- (4) any other information designated by the institute with the consent of the grant applicant.

(b) In order to protect the actual or potential value of

1 information submitted to the institute by an applicant for or
2 recipient of an institute grant, the following information
3 submitted by such applicant or recipient is confidential and is not
4 subject to disclosure under Chapter 552, Government Code, or any
5 other law:

6 (1) all information, except as provided in Subsection
7 (a), that is contained in a grant award contract between the
8 institute and a grant recipient, relating to a product, device, or
9 process, the application or use of such a product, device, or
10 process, and all technological and scientific information,
11 including computer programs, developed in whole or in part by an
12 applicant for or recipient of an institute grant, regardless of
13 whether patentable or capable of being registered under copyright
14 or trademark laws, that has a potential for being sold, traded, or
15 licensed for a fee; and

16 (2) the plans, specifications, blueprints, and
17 designs, including related proprietary information, of a
18 scientific research and development facility.

19 SECTION 3. This Act takes effect September 1, 2011.