

By: Nelson

S.B. No. 1421

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the awarding of grants provided by the Cancer
3 Prevention and Research Institute of Texas.

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

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

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

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

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

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

24 (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) or information that is contained in a grant award contract
8 between the institute and a grant recipient, relating to a product,
9 device, or process, the application or use of such a product,
10 device, or process, and all technological and scientific
11 information, including computer programs, developed in whole or in
12 part by an applicant for or recipient of an institute grant,
13 regardless of whether patentable or capable of being registered
14 under copyright or trademark laws, that has a potential for being
15 sold, traded, or 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 that is jointly
19 financed by the federal government and a local government or state
20 agency, including an institution of higher education, if the
21 facility is designed and built for the purposes of promoting
22 scientific research and development and increasing the economic
23 development and diversification of this state.

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