

By: Villalba, J. Davis of Harris, Branch, Vo,
Workman, et al.

H.B. No. 2051

Substitute the following for H.B. No. 2051:

By: Davis of Dallas

C.S.H.B. No. 2051

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of public institutions of higher
3 education to make certain investments to support technology
4 commercialization.

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

6 SECTION 1. Section 153.006(a), Education Code, is amended
7 to read as follows:

8 (a) In order to carry out the purposes of this chapter and to
9 support the activities of centers described in this chapter, to the
10 extent authorized by its governing board, an institution of higher
11 education may:

12 (1) enter into agreements establishing royalties,
13 fees, and other consideration for technology developed in whole or
14 part by the institution [~~it~~];

15 (2) accept equity interests in, convertible
16 promissory debt instruments issued by, or a combination of equity
17 interests in and convertible promissory debt instruments issued by
18 organizations that license, manage, or otherwise administer rights
19 to technology belonging to the institution [~~it~~] or under its
20 control in exchange for such rights, in whole or in part;

21 (3) accept equity interests in, convertible
22 promissory debt instruments issued by, or a combination of equity
23 interests in and convertible promissory debt instruments issued by
24 organizations that license or otherwise have rights in the

1 institution's [~~its~~] technology as consideration for its providing
2 monetary, business, scientific, or engineering services or
3 technical assistance;

4 (4) use income from the commercialization of
5 technology to fund the activities of the center;

6 (5) solicit, accept, and administer gifts, grants, and
7 donations;

8 (6) enter into contracts for legal services with a
9 competent lawyer or law firm to:

10 (A) prepare, file, pursue, and maintain patent
11 applications in the United States or foreign jurisdictions;

12 (B) secure copyright protection for computer
13 software;

14 (C) prepare, file, and pursue trademark and
15 service mark applications;

16 (D) pursue litigation to prevent or stop
17 infringement of any intellectual property rights of the
18 institution; or

19 (E) handle any other legal matter related to the
20 operation and activities of the center; and

21 (7) enter into such other business arrangements as may
22 be appropriate for achieving the purposes of this chapter.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2013.