

1 ENGROSSED SENATE  
2 BILL NO. 208

By: Bergstrom of the Senate

3 and

4 Kendrix of the House

5  
6 An Act relating to the Oklahoma Center for the  
7 Advancement of Science and Technology; amending 74  
8 O.S. 2021, Section 5060.20a, which relates to the  
9 development and implementation of a technology  
10 business financing program; requiring binding  
11 commitment to provide certain data for certain time;  
12 requiring the Center to provide certain survey;  
13 providing for exception; and providing an effective  
14 date.

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

16 SECTION 1. AMENDATORY 74 O.S. 2021, Section 5060.20a, is  
17 amended to read as follows:

18 Section 5060.20a. A. The Oklahoma Center for the Advancement  
19 of Science and Technology (OCAST), in conjunction with the  
20 Commercialization Center, may develop and implement a technology  
21 business financing program to provide funding and financing for and  
22 to assist qualified Oklahoma enterprises to commercialize new  
23 products, services, technology, innovations, and processes. In  
24 order to obtain funding or financing from the technology business  
financing program, a recipient shall be required to obtain separate  
private investment or funding, and may also be required to pay

1 royalties, fees, interest, profits, or other payments generated or  
2 arising from the sale, lease, licensing, distribution, manufacture,  
3 marketing, or development of products, services, technology,  
4 innovations, and processes, whether alone or in conjunction with  
5 others, or generated or arising from a sale, acquisition, merger, or  
6 other transfer or takeover of the enterprise. Any such royalties,  
7 fees, interest, profits, or other payments or return of funding and  
8 financing shall be retained for use in the program. OCAST, in  
9 conjunction with the Commercialization Center, shall establish  
10 program specifications. OCAST may contract with the  
11 Commercialization Center or other qualified entity to operate and  
12 manage the program. Program funds shall not be used to pay  
13 administrative, management, or operating expenses of OCAST.

14 B. Enterprises that receive funding pursuant to subsection A of  
15 this section shall make a binding commitment to provide data  
16 annually through a survey provided by OCAST, in conjunction with the  
17 Commercialization Center and the Oklahoma Tax Commission. The  
18 binding commitment to provide data shall be for five (5) years or  
19 until the repayment amount has been paid, whichever is later. The  
20 data required by the survey shall include but not be limited to jobs  
21 created, total revenue, total payroll, and average annual wages.  
22 The enterprise must also provide the proportion of jobs, total  
23 revenue, and payroll that is generated in this state. OCAST may  
24 provide an exception to the commitment required pursuant to this

1 subsection for certain circumstances that make the providing of data  
2 unfeasible, including but not limited to the death of owners or  
3 management, dissolution of the enterprise, or abandonment of  
4 projects.

5 SECTION 2. This act shall become effective November 1, 2023.

6 Passed the Senate the 9th day of March, 2023.

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8 Presiding Officer of the Senate

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10 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
11 2023.

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13 Presiding Officer of the House  
14 of Representatives