

**SENATE FLOOR VERSION**

February 13, 2023

COMMITTEE SUBSTITUTE  
FOR

SENATE BILL NO. 214

By: Bergstrom

An Act relating to funds for health research projects; amending 74 O.S. 2021, Sections 5060.16 and 5060.17, which relate to duties of the Oklahoma Center for the Advancement of Science and Technology and the award of professional service contract; requiring the Center to maintain and report certain information; requiring certain binding commitment before awarding certain professional service contract; providing for exception; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 5060.16, is amended to read as follows:

Section 5060.16. The Oklahoma Center for the Advancement of Science and Technology, with the advice and consent of the Committee, shall:

1. Establish and operate a state program designed to secure and impartially distribute funds credited to the Research Support Revolving Fund to support professional service contracts for health research projects;

1        2. Ensure that funding to support health research projects is  
2 awarded only on the basis of scientific merit;

3        3. Design the health research program to ensure the optimum  
4 performance of the investigator and the maximum efficiency of the  
5 project;

6        4. Evaluate and approve health research projects to be funded  
7 from the Research Support Revolving Fund;

8        5. Establish a procedure for the referral of proposed health  
9 research projects to the Committee for review;

10       6. Establish procedures for review of proposed health research  
11 projects by qualified individuals residing outside this state;

12       7. Suspend or terminate any professional service contract  
13 supporting health research projects for failure by an investigator,  
14 institution of higher learning, or nonprofit research institution to  
15 comply with the procedures, requirements, or bylaws of the Center;  
16 ~~and~~

17       8. Enter into contracts to ensure the optimum performance of  
18 health research investigators and to ensure the maximum efficiency  
19 of proposed health research projects;

20       9. Provide a report to the Committee detailing any potential  
21 commercial opportunities, if any, for projects receiving funds each  
22 fiscal year; and

1        10. For each fiscal year, maintain records and provide a report  
2 to the Committee containing the number of years that each project  
3 has been receiving funds.

4        SECTION 2.        AMENDATORY        74 O.S. 2021, Section 5060.17, is  
5 amended to read as follows:

6        Section 5060.17. No professional service contract shall be  
7 awarded by the Oklahoma Center for the Advancement of Science and  
8 Technology to support a health research project unless:

9        1. The investigators are residents of this state or become  
10 residents of this state before the ninetieth day after a  
11 professional service contract, pursuant to which they will be  
12 functioning as an investigator, has been funded by the Center;

13        2. The institutions that administer the professional service  
14 contracts are primarily located in this state and are able to assume  
15 financial responsibility for professional service contracts;

16        3. The professional service contract will not be transferred to  
17 any other institutions within the state without the approval of the  
18 Center and will not be transferred to an institution outside this  
19 state at any time; ~~and~~

20        4. The funds will not be expended for patient care except if  
21 patient care is an intrinsic part of a funded professional service  
22 contract; and

23        5. A binding commitment is obtained from any institution of  
24 higher education, nonprofit research foundation, or private

1 enterprise that would receive funds pursuant to an award providing  
2 information on an annual basis for the duration of funding and the  
3 five (5) subsequent years, which shall include but not be limited to  
4 the following:

- 5       a.   employment levels for the year preceding the award and  
6       each subsequent year,
- 7       b.   any additional funds raised as a direct result of the  
8       award,
- 9       c.   payroll data resulting from the research,
- 10      d.   gross sales or revenue as a direct result of the  
11      research, and
- 12      e.   relevant industry sector information, as determined by  
13      the Center.

14       The Oklahoma Tax Commission shall collaborate with the Center  
15 for the reporting of financial data. The Center may provide an  
16 exception to the commitment required pursuant to this subsection for  
17 certain circumstances that make the providing of data unfeasible,  
18 including but not limited to the death of owners or management,  
19 dissolution of the enterprise, or abandonment of projects.

20       SECTION 3. This act shall become effective November 1, 2023.

21 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE  
22 February 13, 2023 - DO PASS AS AMENDED BY CS  
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