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I N S E N A T E

June 21, 2010

Introduced by Sen. STACHOWSKI -- read twice and ordered printed, and
when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to grants awarded or
matched by NYSTAR for the research development program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 5 of section 209-p of the executive law, as
2 amended by chapter 342 of the laws of 2008, is amended to read as
3 follows:
4 5. An incentive program is hereby created to provide additional
5 assistance [to] FOR technology transfer AND DEVELOPMENT activities at
6 institutions of higher education [and], research institutions AND BUSI-
7 NESSES in the state of New York for the purpose of encouraging technolo-
8 gy transfer AND DEVELOPMENT from AND BETWEEN institutions of higher
9 education [and], research institutions [to] AND businesses and for
10 commercialization within New York state AND FOR ENCOURAGING REGIONAL
11 TECHNOLOGY COMMERCIALIZATION PARTNERSHIP EFFORTS. APPLICATIONS MAY BE
12 SUBMITTED BY NEW YORK BUSINESSES; INSTITUTIONS OF HIGHER EDUCATION;
13 CENTERS OF EXCELLENCE; CENTERS FOR ADVANCED TECHNOLOGY; REGIONAL TECH-
14 NOLOGY DEVELOPMENT CORPORATIONS; OTHER ECONOMIC DEVELOPMENT OR BUSINESS
15 DEVELOPMENT ORGANIZATIONS; RESEARCH INSTITUTIONS THAT INCLUDE, BUT ARE
16 NOT LIMITED TO LABORATORIES, MEDICAL CENTERS, AND INSTITUTIONS THAT
17 STUDY SCIENTIFIC SUBJECTS OR APPLY SCIENTIFIC KNOWLEDGE TO MEET A RECOG-
18 NIZED NEED; AND IN COLLABORATION WITH ONE ANOTHER. Funds appropriated
19 for this COMPETITIVE program shall be available for [personal service]
20 expenses to enhance [the] technology transfer [abilities of]; COMMER-
21 CIALIZATION; AND PRODUCT DEVELOPMENT EFFORTS OF higher education [and],
22 research institutions [to], businesses within New York state including
23 [but not limited to patent applications, the creation of business and
24 marketing plans, venture capital conferences and non-capital costs asso-
25 ciated with the development of real property owned by such institution
26 of higher education or research institution for research and development
27 purposes] REGIONAL TECHNOLOGY COMMERCIALIZATION EFFORTS. THE OFFICE
28 SHALL AWARD COMPETITIVE GRANTS OR MATCHING GRANTS: (A) TO RESEARCH

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 ENTITIES TO DEVELOP COMMERCIALLY PROMISING DISCOVERIES BEYOND THE
2 CONCEPTUAL STAGE THAT COMMERCIALIZES AND INCREASES MARKET VALUE;

3 (B) TO START-UP COMPANIES TO COMMERCIALIZE INTELLECTUAL PROPERTY
4 LICENSED FROM COLLEGES, UNIVERSITIES, AND RESEARCH INSTITUTIONS;

5 (C) TO SMALL BUSINESSES FOR APPLIED RESEARCH AND DEVELOPMENT AND
6 PROTOTYPING PROJECTS;

7 (D) FOR PATENT APPLICATIONS;

8 (E) FOR CO-LOCATION, COLLABORATIVE TECHNOLOGY TRANSFER AND DEVELOPMENT
9 SUPPORT AT SCIENCE AND TECHNOLOGY FACILITIES;

10 (F) FOR CREATION OF BUSINESS AND MARKETING PLANS;

11 (G) FOR ANGEL AND EARLY STAGE VENTURE CAPITAL CONFERENCES; AND

12 (H) FOR NON-CAPITAL COSTS ASSOCIATED WITH THE DEVELOPMENT AND USE OF
13 TECHNOLOGY ASSETS AT INSTITUTIONS OF HIGHER EDUCATION OR RESEARCH INSTI-
14 TUTIONS ENGAGED IN RESEARCH AND DEVELOPMENT FOR COMMERCIALIZATION
15 PURPOSES.

16 FOR REGIONAL TECHNOLOGY COMMERCIALIZATION PARTNERSHIP GRANTS, THE
17 OFFICE SHALL GIVE PREFERENCE TO THOSE APPLICATIONS THAT DEMONSTRATE
18 COLLABORATION AMONG ACADEMIC RESEARCH INSTITUTIONS, INDUSTRY ASSETS,
19 ECONOMIC DEVELOPMENT ORGANIZATIONS AND WORKFORCE DEVELOPMENT PROGRAMS
20 WITHIN A REGION OF THE STATE AND THAT SHOW THE GREATEST POTENTIAL FOR
21 COMMERCIAL SUCCESS AND EVENTUAL JOB CREATION IN NEW YORK STATE. Funds
22 awarded under the incentive program shall not exceed fifty percent of
23 the cost of the purpose for which such funds shall be applied. THE
24 OFFICE RESERVES THE RIGHT TO REALLOCATE FUNDS IN ITS DISCRETION TO OTHER
25 AWARDEES IF MEASUREMENT GOALS AS SET FORTH BY THE OFFICE ARE NOT MET.

26 S 2. This act shall take effect immediately.