S T A T E O F N E W Y O R K

8294

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:

Section 1. Subdivision 5 of section 209-p of the executive law, as amended by chapter 342 of the laws of 2008, is amended to read as follows:

5. An incentive program is hereby created to provide additional assistance [to] FOR technology transfer AND DEVELOPMENT activities at institutions of higher education [and], research institutions AND BUSINESSES in the state of New York for the purpose of encouraging technology transfer AND DEVELOPMENT from AND BETWEEN institutions of higher education [and], research institutions [to] AND businesses and for commercialization within New York state AND FOR ENCOURAGING REGIONAL TECHNOLOGY COMMERCIALIZATION PARTNERSHIP EFFORTS. APPLICATIONS MAY BE SUBMITTED BY NEW YORK BUSINESSES; INSTITUTIONS OF HIGHER EDUCATION; CENTERS OF EXCELLENCE; CENTERS FOR ADVANCED TECHNOLOGY; REGIONAL TECHNOLOGY DEVELOPMENT CORPORATIONS; OTHER ECONOMIC DEVELOPMENT OR BUSINESS DEVELOPMENT ORGANIZATIONS; RESEARCH INSTITUTIONS THAT INCLUDE, BUT ARE NOT LIMITED TO LABORATORIES, MEDICAL CENTERS, AND INSTITUTIONS THAT STUDY SCIENTIFIC SUBJECTS OR APPLY SCIENTIFIC KNOWLEDGE TO MEET A RECOGNIZED NEED; AND IN COLLABORATION WITH ONE ANOTHER. Funds appropriated for this COMPETITIVE program shall be available for [personal service] expenses to enhance [the] technology transfer [abilities of]; COMMERCIALIZATION; AND PRODUCT DEVELOPMENT EFFORTS OF higher education [and], research institutions [to], businesses within New York state including [but not limited to patent applications, the creation of business and marketing plans, venture capital conferences and non-capital costs associated with the development of real property owned by such institution of higher education or research institution for research and development purposes] REGIONAL TECHNOLOGY COMMERCIALIZATION EFFORTS. THE OFFICE 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.

LBD17804-01-0

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

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

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

(D) FOR PATENT APPLICATIONS;

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

(F) FOR CREATION OF BUSINESS AND MARKETING PLANS;

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

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

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

S 2. This act shall take effect immediately.