
A BILL FOR AN ACT

RELATING TO TECHNOLOGY TRANSFER AT THE UNIVERSITY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that it is a matter of
2 statewide concern to support the contributions of the University
3 of Hawaii to the economic health and diversification of the
4 State. The legislature further finds that the timely and
5 efficient commercialization of intellectual property created by
6 basic and applied research at the university greatly benefits
7 the public and the State.

8 Through prior legislation, the legislature has authorized
9 and provided funding to support efforts by state agencies to
10 promote entrepreneurial development, research commercialization,
11 and access to startup investment capital. These efforts
12 include, for example, the HI growth initiative, the venture
13 accelerator funding program, and other projects sponsored by the
14 Hawaii strategic development corporation. The University of
15 Hawaii can play a vital and complementary role in this
16 initiative.



1 The legislature further finds that the board of regents of
2 the University of Hawaii has established a regulatory framework
3 and compliance program to balance the unique benefits and
4 ethical issues specific to university research and technology
5 transfer, and to assure compliance with applicable external
6 regulations. The university framework and compliance program
7 incorporates long-standing ethical research principles and
8 technology transfer regulations currently used by the federal
9 government.

10 The board periodically reviews and updates its policies and
11 procedures to reflect the best practices currently in place at
12 several of the university's peer institutions. In this manner,
13 the university strives to remain compliant with federal
14 regulation and be competitive for external research funding
15 opportunities. By updating its research and commercialization
16 policies and guidelines, the university is able to attract
17 innovative faculty.

18 The purpose of this Act is to facilitate the university's
19 contribution to research commercialization and economic
20 development for the State by clarifying the application of the



1 state ethics code to technology transfer activities sponsored by
2 the University of Hawaii.

3 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
4 amended by adding two new sections to be appropriately
5 designated and to read as follows:

6 "§304A-A University of Hawaii; technology transfer
7 activities; exemption. (a) Sections 84-12, 84-13, 84-14 to 84-
8 16, and 84-18 shall not apply to technology transfer activities
9 sponsored by the University of Hawaii, so long as such
10 technology transfer activities comply with the regulatory
11 framework and research compliance program and policies approved
12 by the board of regents of the University of Hawaii.

13 (b) As used in this section, "technology transfer
14 activities" means the process of transferring scientific
15 findings from the public sector to the private sector for the
16 purpose of commercial development and application for personal
17 or financial gain. Technology transfer activities may include
18 creating joint ventures, limited partnerships, or other
19 corporate forms; allocating equity shares, partnership
20 interests, or other forms of participation; identifying new
21 technologies; protecting technologies through patents and



1 copyrights; forming development and commercialization
2 strategies, arrangements, or projects; and other related
3 activities.

4 §304A-B Technology transfer; reporting. The board of
5 regents of the University of Hawaii shall submit a written
6 report to the legislature no later than twenty days prior to the
7 convening of each regular session during odd-numbered years
8 regarding:

- 9 (1) The development and implementation of its regulatory
10 framework and compliance program that reflects ethical
11 research principles and technology transfer
12 regulations used by the federal government; and
- 13 (2) The technology transfer activities of the University
14 of Hawaii as defined in section 304A-A and their
15 status."

16 SECTION 3. In codifying the new sections added by section
17 2 of this Act, the revisor of statutes shall substitute
18 appropriate section numbers for the letters used in designating
19 the new sections of this Act.

20 SECTION 4. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2038.



Report Title:

State Code of Ethics; University of Hawaii; Technology Transfer Activities; Reporting

Description:

Clarifies that certain sections of the State Ethics Code do not apply to technology transfer activities sponsored by the University of Hawaii; provided that the activities comply with the regulatory framework and research compliance program approved by the Board of Regents. Requires the Board of Regents to submit a written status report to the Legislature every two years. (HB1157 HD1)

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