

JAN 25 2023

A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1 SECTION 1. The legislature finds that University of Hawaii
2 research and training contracts and grants contribute over
3 \$200,000,000 annually to Hawaii's economy and create workforce
4 opportunities throughout the State. The university's flagship
5 campus, the University of Hawaii at Manoa, is an internationally
6 recognized, Carnegie R1 research institution.

7 The purpose of this Act is to sustain the University of
8 Hawaii's research excellence by facilitating the effective and
9 efficient accomplishment of the purposes of sponsored research
10 and training activities via an exemption from certain provisions
11 of the Hawaii public procurement code. The exemption will
12 enable the university to handle its own affairs should the
13 research corporation of the University of Hawaii carry out its
14 strategic plan to diversify the corporation's customer base.

15 SECTION 2. Section 103D-102, Hawaii Revised Statutes, is
16 amended by amending subsection (c) to read as follows:



1 "(c) Notwithstanding subsection (a), this chapter shall
2 not apply to contracts made by:

3 (1) Any regional system board of the Hawaii health systems
4 corporation; [~~or~~]

5 (2) The Kaho'olawe island reserve commission, except as
6 provided by section 6K-4.5 [~~-~~]; or

7 (3) The University of Hawaii or the board of regents of
8 the University of Hawaii; provided that the contracts
9 involve research and training grants and contracts or
10 University of Hawaii research and training revolving
11 fund moneys expended in direct support of research and
12 training contracts and grants."

13 SECTION 3. Section 304A-105, Hawaii Revised Statutes, is
14 amended by amending subsection (b) to read as follows:

15 "(b) The board of regents shall develop internal policies
16 and procedures for the procurement of goods, services, and
17 construction, consistent with the powers of the board set forth
18 in section 304A-2672, and the goals of public accountability and
19 public procurement practices, subject to chapter 103D [~~-~~];
20 provided that the board of regents shall develop internal
21 policies and procedures exempt from chapter 103D for the



1 procurement of goods and services for research and training
2 contracts and grants and research and training revolving funds
3 expended in direct support of research and training grants and
4 contracts; provided further that the president of the university
5 may delegate procurement authority for research and training
6 contracts and grants to the vice president for research and
7 innovation."

8 SECTION 4. The board of regents of the University of
9 Hawaii shall submit reports to the legislature no later than
10 twenty days prior to the convening of the regular sessions
11 of and , which shall include but not be limited to
12 the following:

- 13 (1) A description of the University of Hawaii's internal
14 procurement process;
- 15 (2) A description of the University of Hawaii's internal
16 procedures for handling protests of solicitation or
17 awards of contract, if different from the procedures
18 described in chapter 103D, Hawaii Revised Statutes;
- 19 (3) A description and summary of any protests or
20 litigation that have arisen since the effective date
21 of this Act; and



1 (4) A list of research contracts and grants and training
2 contracts and grants exempt from procurement chapter
3 103D, Hawaii Revised Statutes.

4 SECTION 5. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

7 SECTION 6. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 7. This Act shall take effect on July 1, 2023.

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INTRODUCED BY: *Jimena Inocencio Kii*



S.B. NO. 1414

Report Title:

University of Hawaii; Research; Training; Contracts; Grants;
Procurement; Exemption; Reports

Description:

Exempts the University of Hawaii and the University's Board of Regents from certain provisions of the Hawaii Public Procurement Code involving research and training contracts and grants or research and training revolving funds expended in direct support of research and training contracts and grants. Requires the Board of Regents to develop internal policies and procedures exempt from chapter 103D, Hawaii Revised Statutes, for the procurement of goods and services for research and training contracts and grants and research and training revolving funds expended in support thereof. Authorizes the University of Hawaii President to delegate procurement authority for research and training contracts and grants to the University's Vice President for Research and Innovation. Requires the Board of Regents to submit reports to the Legislature.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

