

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 480

By: Hobson of the Senate

and

6 Toure of the House
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10 COMMITTEE SUBSTITUTE

11 An Act relating to the Oklahoma Open Records Act;
12 amending 51 O.S. 1991, Section 24A.19, which relates
13 to confidentiality of certain research records;
14 clarifying language; providing for confidentiality of
15 state owned or controlled technology under certain
16 circumstances; requiring certain reports by
17 institutions within The Oklahoma State System of
18 Higher Education; providing for contents of report;
19 making reports open under the Oklahoma Open Records
20 Act; and declaring an emergency.

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

22 SECTION 1. AMENDATORY 51 O.S. 1991, Section 24A.19, is
23 amended to read as follows:

24 Section 24A.19 In addition to other records that a public body
25 may keep confidential pursuant to the provisions of the Oklahoma
26 Open Records Act, a public body may keep confidential ~~any~~:

27 1. Any information related to research, the disclosure of which
28 could affect the conduct or outcome of the research, the ability to
29 patent or copyright the research, or any other proprietary rights
30 any entity ~~might~~ may have in the research or the results of the
31 research, including, but not limited to, trade secrets and
32 commercial or financial information obtained from an entity
financing or cooperating in the research, research protocols, and
research notes, data, results, or other unpublished writings about
the research; and

1 2. Any information relating to state owned or controlled
2 technology or the development, transfer, or commercialization of the
3 technology including, but not limited to, the specific terms and
4 conditions of any license or other commercialization agreement
5 which, if disclosed, may adversely affect or may give other persons
6 or entities an advantage over public bodies in negotiating terms and
7 conditions for the development, transfer, or commercialization of
8 the technology. However, institutions within The Oklahoma State
9 System of Higher Education shall:

10 a. report to the Oklahoma State Regents for Higher
11 Education as requested on forms provided by the
12 Regents research activities funded by external
13 entities or the institutions, the results of which
14 have generated new intellectual property, and

15 b. report to the Oklahoma State Regents for Higher
16 Education annually on forms provided:

17 (1) expenditures for research and development
18 supported by the institution,

19 (2) any financial relationships between the
20 institution and private business entities,

21 (3) any acquisition of an equity interest by the
22 institution in a private business,

23 (4) the receipt of royalty or other income related to
24 the sale of products, processes, or ideas by the
25 institution or a private business entity with
26 which the institution has established a financial
27 arrangement,

28 (5) the gains or losses upon the sale or other
29 disposition of equity interests in private
30 business entities, and

1 (6) any other information regarding technology
2 transfer required by the Oklahoma State Regents
3 for Higher Education.

4 The reports required in subparagraphs a and b of this paragraph
5 shall not be deemed confidential and shall be subject to full
6 disclosure pursuant to the Oklahoma Open Records Act.

7 SECTION 2. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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