
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 the board of regents
2 of the University of Hawaii has established a regulatory
3 framework and compliance program to balance the unique benefits
4 and ethical issues specific to university research and
5 technology transfer and to assure compliance with applicable
6 external regulations. The university framework and compliance
7 program incorporates long-standing ethical research principles
8 and technology transfer regulations currently used by the United
9 States federal government. The board periodically updates its
10 policies and procedures to reflect the best practices currently
11 in place at several of the university's peer institutions. In
12 this manner, the university strives to remain competitive for
13 external research funding and to continue to attract innovative
14 faculty.

15 The legislature finds that it is a matter of statewide
16 concern to support the contributions by the University of Hawaii
17 to the economic health and diversification of the State. The



1 legislature further finds that the timely and efficient
2 commercialization of intellectual property created by basic and
3 applied research at the university greatly benefits the public
4 and the State.

5 The purpose of this Act is to clarify the application of
6 the state ethics code to allow technology transfer activities
7 sponsored by the University of Hawaii; provided that such
8 activities comport with a regulatory framework and compliance
9 program and policies used by the United States federal
10 government.

11 SECTION 2. Chapter 84, Hawaii Revised Statutes, is amended
12 by adding a new section to be appropriately designated and to
13 read as follows:

14 "§84- University of Hawaii technology transfer
15 activities. (a) This chapter shall not apply to faculty and
16 professional and technical staff of the University of Hawaii
17 while they are engaged in technology transfer activities. Such
18 persons shall comply with a regulatory framework and research
19 compliance program and policies approved by the University of
20 Hawaii board of regents that is regularly updated, incorporates
21 best practices for ethical research principles, and is used by



1 the United States federal government. Such policies shall
2 include, but are not limited to, provisions on gifts,
3 confidential information, use of position, contracts with
4 government agencies, post-employment activities, and financial
5 disclosures.

6 (b) The board of regents of the University of Hawaii shall
7 submit a written report to the legislature regarding:

8 (1) The development and implementation of its regulatory
9 framework and compliance program that incorporates
10 ethical research principles and technology transfer
11 regulations used by the United States federal
12 government; and

13 (2) The technology transfer activities of the University
14 of Hawaii and their status,

15 every two years no later than twenty days prior to the convening
16 of the regular session.

17 (c) As used in this section, "technology transfer
18 activities" means the process of transferring scientific
19 findings from the public sector to the private sector for the
20 purpose of commercial development and application for personal
21 or financial gain. Technology transfer activities may include



1 joint ventures, identifying new technologies, protecting
2 technologies through patents and copyrights, forming development
3 and commercialization strategies, and other related activities."

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval

6 and shall be repealed on June 30, 2025.



Report Title:

State Ethics Code; University of Hawaii; Technology Transfer Activities

Description:

Clarifies that State Ethics Code shall not apply to faculty and professional and technical staff of the University of Hawaii when engaged in technology transfer activities. Requires such persons to comply with a regulatory framework and research compliance program approved by the Board of Regents and used by the U.S. federal government. Requires written status report to the Legislature every two years. Sunsets June 30, 2025.

(SB1144 HD1)

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