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

17 The legislature further finds that the board of regents of
18 the University of Hawaii has established a regulatory framework



1 and research compliance program to balance the unique benefits
2 and ethical issues specific to university research and
3 technology transfer and to ensure compliance with applicable
4 external regulations. The university regulatory framework and
5 research compliance program incorporates long-standing ethical
6 research principles and technology transfer regulations
7 currently used by the federal government.

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

16 The purpose of this Act is to facilitate the University of
17 Hawaii's contribution to research commercialization and economic
18 development for the State by clarifying and updating the
19 application of ethics principles set forth in the state code of
20 ethics to technology transfer activities sponsored by the
21 university.



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

4 "§84- University of Hawaii; technology transfer
5 activities; exemption. (a) Sections 84-12, 84-13, 84-14 to 84-
6 16, and 84-18 shall not apply to technology transfer activities
7 sponsored by the University of Hawaii; provided that the
8 technology transfer activities comply with the regulatory
9 framework and research compliance program and policies approved
10 by the University of Hawaii board of regents.

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



1 strategies, arrangements, or projects; and other related
2 activities."

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

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

10 (1) The development and implementation of its regulatory
11 framework and research compliance program to reflect
12 ethical research principles and technology transfer
13 regulations used by the federal government; and

14 (2) The technology transfer activities of the University
15 of Hawaii, as defined in section 84- , and the status
16 of such activities."

17 SECTION 4. New statutory material is underscored.

18 SECTION 5. This Act shall take effect upon its approval;
19 provided that this Act shall be repealed on June 30, 2022.



Report Title:

Code of Ethics; University of Hawaii; Technology Transfer
Activities

Description:

Makes certain sections of the Code of Ethics inapplicable to
technology transfer activities sponsored by University of Hawaii
if the activities comply with the regulatory framework and
research compliance program approved by the Board of Regents.
Requires the Board of Regents to submit written status reports
to the Legislature every year. Repeals on June 30, 2022.
(HB425 CD1)

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

