

Effective 5/10/2016

Part 7
Reporting by Recipients of Ustar Support

63M-2-701 Title.

This part is known as "Reporting by Recipients of USTAR Support."

Enacted by Chapter 240, 2016 General Session

63M-2-702 Reporting requirements for higher education institutions.

- (1) Except as provided in Subsection (3), on or before September 1 each year, a higher education institution employing a USTAR researcher shall submit a written report to the governing authority.
- (2) A report under Subsection (1) shall contain information on:
 - (a) collaborations established by a USTAR researcher with other researchers;
 - (b) the amount and source of funding, other than USTAR funding, expended on a USTAR researcher's research program, including:
 - (i) federal funds;
 - (ii) philanthropic or nonprofit funds;
 - (iii) industry funds; and
 - (iv) state funds other than USTAR funds, including funds from a higher education institution;
 - (c) a copy of each:
 - (i) technology disclosure that a USTAR researcher files with a higher education institution;
 - (ii) license agreement that the higher education institution enters into with respect to a technology developed by a USTAR researcher, including any current, expired, or breached license; and
 - (iii) patent filed by the higher education institution based on technology developed by a USTAR researcher;
 - (d) publications in which a USTAR researcher participated, including a citation for each peer reviewed publication;
 - (e) the number of research jobs maintained by a USTAR researcher's research program and average wages paid to those holding those jobs;
 - (f) expenses paid using USTAR funds, including:
 - (i) salary and benefits for a USTAR researcher or staff;
 - (ii) operational expenses;
 - (iii) capital equipment expenses; and
 - (iv) travel; and
 - (g) compensation, including salary and benefits, that a USTAR researcher received from a publicly funded source other than USTAR funds.
- (3) The governing authority may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to simplify or eliminate the reporting requirements described in this section for a USTAR researcher who has received less than \$100,000 in cumulative USTAR funding for a particular line of research.

Enacted by Chapter 240, 2016 General Session

63M-2-703 Reporting requirements for private entities.

- (1) On or before September 1 of each year, the governing authority shall collect the information described in Subsection (2) from each private entity that:
 - (a) receives USTAR support;
 - (b) receives more than 20 hours of training from USTAR;
 - (c) purchases a private entity that previously received USTAR support; or
 - (d) licenses a technology developed by a USTAR researcher.
- (2) The governing authority shall collect information on:
 - (a) public or private investment received by the private entity after the private entity:
 - (i) begins to receive USTAR support;
 - (ii) licenses a technology from a USTAR researcher; or
 - (iii) purchases a private entity that previously received USTAR support;
 - (b) sales or revenue generated by the product or technology;
 - (c) the number of jobs created by the private entity and the average wage for each position; and
 - (d) the location of the private entity.
- (3)
 - (a) To collect the information described in Subsection (2), the governing authority shall, in accordance with Title 63G, Chapter 6a, Utah Procurement Code, contract with an independent third party to conduct a survey of each private entity described in Subsection (1).
 - (b) The independent third party selected under Subsection (3)(a) shall use industry standard practices to collect the information described in Subsection (2).
- (4) The governing authority and Department of Workforce Services shall coordinate to verify the job and average wage information described in Subsection (2)(c).

Enacted by Chapter 240, 2016 General Session

63M-2-704 Reporting on licensed or acquired intellectual property.

In an agreement between an institution of higher education and a private entity that licenses or acquires an interest in intellectual property developed by a USTAR researcher, the institution of higher education shall include a provision requiring the private entity, as a condition of receiving a license or acquiring an interest in intellectual property, to comply with the reporting requirements in Section 63M-2-703.

Enacted by Chapter 240, 2016 General Session

63M-2-705 Reporting on use of research buildings.

On or before September 1 of each year, a research university shall submit a report to the governing authority concerning the use, during the immediately preceding fiscal year, of the research building located on the research university's campus, including:

- (1) the name of each individual who conducts research in the research building;
- (2) the name of each private entity that uses the research building;
- (3) the total amount charged by the research university for the use of space or facilities in the research building;
- (4) the amount and source of funding, other than USTAR funding, received by a researcher, other than a researcher that is a private entity, housed in the research building, including:
 - (a) federal funding;
 - (b) state funding, including institutional funding;
 - (c) private philanthropic or nonprofit funding; and
 - (d) industry funding; and

(5) the number of disclosures, patents, and licenses resulting from research conducted in the research building.

Enacted by Chapter 240, 2016 General Session