

**65A-14-202 Reservation of economic interests -- Agreement to negotiate in good faith.**

- (1) The right of a person to engage in an act of bioprospecting in this state is subject to the state's reservation of any right the state may have to an economic benefit derived from:
  - (a) the act of bioprospecting;
  - (b) a microorganism, plant, or fungus removed from a natural environment in the state; or
  - (c) information concerning a microorganism's, plant's, or fungus' physical or genetic properties removed from a natural environment in the state.
- (2) A person may not engage in an act of bioprospecting in this state if the person, as part of the registration required under Section 65A-14-201, does not agree in writing to negotiate in good faith with the state if the state asserts an economic interest described in Subsection (1).

Enacted by Chapter 21, 2010 General Session