

SENATE BILL 368

C8

3lr2099
CF HB 779

By: **Senators Peters and DeGrange**

Introduced and read first time: January 25, 2013

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2013

CHAPTER _____

1 AN ACT concerning

2 **Maryland Stem Cell Research Fund – Annual Report – Government**
3 **Transparency Requirements**

4 FOR the purpose of requiring the Maryland Stem Cell Research Fund annual report to
5 include information on each award recipient's employer, a certain summary of
6 award recipients' research results and accomplishments, and certain award
7 tracking information; requiring a certain summary of research results and
8 accomplishments to meet certain disclosure standards and include certain
9 information under certain circumstances; authorizing a certain summary of
10 research results and accomplishments to exclude certain information; and
11 generally relating to the Maryland Stem Cell Research Fund annual report.

12 BY renumbering

13 Article – Economic Development
14 Section 10–429(h), (i), (j), and (k), respectively
15 to be Section 10–429(i), (j), (k), and (l), respectively
16 Annotated Code of Maryland
17 (2008 Volume and 2012 Supplement)

18 BY adding to

19 Article – Economic Development
20 Section 10–429(h)
21 Annotated Code of Maryland
22 (2008 Volume and 2012 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, with amendments,
 2 Article – Economic Development
 3 Section 10–442
 4 Annotated Code of Maryland
 5 (2008 Volume and 2012 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 7 MARYLAND, That Section(s) 10–429(h), (i), (j), and (k), respectively, of Article –
 8 Economic Development of the Annotated Code of Maryland be renumbered to be
 9 Section(s) 10–429(i), (j), (k), and (l), respectively.

10 ~~SECTION 1. 2. BE IT ENACTED BY THE GENERAL ASSEMBLY OF~~
 11 ~~MARYLAND AND BE IT FURTHER ENACTED,~~ That the Laws of Maryland read as
 12 follows:

13 **Article – Economic Development**

14 10–429.

15 **(H) “NIH” MEANS THE NATIONAL INSTITUTES OF HEALTH.**

16 10–442.

17 (a) On or before January 1 of each year, the Corporation and the Commission
 18 shall report to the Governor and, in accordance with § 2–1246 of the State
 19 Government Article, the General Assembly on the progress of State–funded stem cell
 20 research conducted in accordance with this part.

21 (b) **(1)** The report shall [identify] **INCLUDE:**

22 ~~(1)~~ **(I)** each recipient [of money] **AWARDED A GRANT OR LOAN**
 23 from the Fund;

24 ~~(2)~~ **(II)** **THE INSTITUTION OR COMPANY WHERE EACH GRANT OR**
 25 **LOAN RECIPIENT IS EMPLOYED;**

26 ~~(2)~~ ~~(3)~~ **(III)** the amount of money awarded to each **GRANT OR**
 27 **LOAN** recipient; [and]

28 ~~(3)~~ ~~(4)~~ **(IV)** a description of the type of stem cell research
 29 performed by [the] **EACH GRANT OR LOAN** recipient;

30 ~~(5)~~ **(V)** **THE YEAR EACH GRANT OR LOAN WAS AWARDED;**

31 ~~(6)~~ **(VI)** **THE GRANT OR LOAN NUMBER ASSIGNED TO EACH**
 32 **AWARD; AND**

1 ~~(7)~~ (VII) IF THE FUNDING PERIOD OF A GRANT OR LOAN
2 RECIPIENT’S AWARD ENDED DURING THE CALENDAR YEAR COVERED BY THE
3 REPORT, A GENERAL SUMMARY OF THE RESULTS AND ACCOMPLISHMENTS OF
4 THE STATE-FUNDED RESEARCH, INCLUDING THE NUMBER OF PATIENTS
5 TREATED AS A DIRECT RESULT OF THE RESEARCH.

6 (2) THE SUMMARY REQUIRED UNDER PARAGRAPH (1)(VII) OF
7 THIS SUBSECTION:

8 (I) TO THE EXTENT PRACTICABLE, SHALL MEET THE
9 STANDARDS ESTABLISHED BY NIH FOR PUBLIC DISCLOSURE OF RESULTS AND
10 ACCOMPLISHMENTS OF NIH-FUNDED RESEARCH PROJECTS;

11 (II) SHALL INCLUDE THE NUMBER OF PATIENTS TREATED
12 AS A RESULT OF THE RESEARCH, IF APPLICABLE; AND

13 (III) MAY EXCLUDE ANY INFORMATION THAT:

14 1. IS PROPRIETARY OR CONFIDENTIAL;

15 2. WOULD JEOPARDIZE INTELLECTUAL PROPERTY
16 RIGHTS OF THE GRANT OR LOAN RECIPIENT; OR

17 3. WOULD INHIBIT OR IMPAIR THE GRANT OR LOAN
18 RECIPIENT’S ABILITY TO PUBLISH OR COMMERCIALIZE THE RESULTS OF THE
19 RESEARCH.

20 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
21 effect October 1, 2013.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.