

Regular Session, 2009

SENATE BILL NO. 226

BY SENATOR GRAY

FUNDS/FUNDING. Dedicates certain funds to the Technology Commercialization Fund.
(7/1/09)

1 AN ACT
2 To enact R.S. 47:870 and R.S. 51:2357, relative to the dedication of certain tobacco
3 proceeds; to establish the Technology Commercialization Fund as a special fund in
4 the state treasury; to provide for the use of monies in the fund; to authorize a grants
5 program related to commercialization of technologies developed at certain
6 institutions; to provide for an effective date; and to provide for related matters.
7 Be it enacted by the Legislature of Louisiana:
8 Section 1. R.S. 47:870 is hereby enacted to read as follows:
9 **§870. Disposition of certain collections**
10 **After compliance with Article VII, Section 9(B) of the Constitution of**
11 **Louisiana, the state treasurer is hereby authorized and directed to transfer the**
12 **first two hundred and fifty thousand dollars of collections derived from the**
13 **proceeds of the taxes on cigarettes levied in R.S. 47:841(B) which are in excess**
14 **of the rate levied on the effective date of this Section to the Technology**
15 **Commercialization Fund as provided in R.S. 51:2357. Each year thereafter, the**
16 **state treasurer shall transfer no less than two hundred and fifty thousand**
17 **dollars to the Technology Commercialization Fund.**

1 Section 2. R.S. 51:2357 is hereby enacted to read as follows:

2 **§2357. Technology Commercialization Fund**

3 **A. The Technology Commercialization Fund, hereinafter referred to as**
4 **the "fund," is hereby established as a special fund in the state treasury for**
5 **purposes of supporting a competitive grants program for commercialization of**
6 **technologies developed at accredited Louisiana institutions of higher education**
7 **and academic research centers as provided in Subsection C of this Section.**
8 **Monies shall be transferred into the Technology Commercialization Fund in**
9 **accordance with the provisions of R.S. 47:870.**

10 **B. Monies in the fund shall be invested by the state treasurer in the same**
11 **manner as those in the state general fund and interest earnings on the**
12 **investment of monies in the fund shall be credited to the fund. Any**
13 **unencumbered or unexpended monies in the fund at the end of the fiscal year**
14 **shall remain in the fund.**

15 **C. Subject to an annual appropriation by the legislature, monies in the**
16 **fund shall be used by the Louisiana Economic Development Corporation,**
17 **hereinafter referred to as the "corporation," to provide for a competitive grants**
18 **program for the advancement of commercialization of technologies developed**
19 **at accredited Louisiana institutions of higher education and academic research**
20 **centers. The corporation shall establish a committee to assist in the review and**
21 **consideration of proposals for grants. The committee shall be comprised of**
22 **representatives of the public and private sectors, of which a majority of**
23 **members shall be from the private sector. The corporation shall develop the**
24 **rules of the grants program, to include the methods and form of grant**
25 **application and award thresholds.**

26 Section 3. Section 1 of this Act shall be effective only in the event that there is an
27 increase in the tax imposed on cigarettes during the 2009 Regular Session of the Legislature
28 which increase in the cigarette tax levied in R.S. 47:841(B) is in excess of the rate in effect
29 as of January 1, 2009.

1 Section 4. Section 2 of this Act shall become effective on July 1, 2009; if vetoed by
2 the governor and subsequently approved by the legislature, Section 2 shall become effective
3 on July 1, 2009, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jay R. Lueckel.

DIGEST

Proposed law provides that the state treasurer is directed to transfer the first \$250,000 of collections derived from the proceeds of the taxes on cigarettes which are in excess of the rate on the effective date of the Act to the Technology Commercialization Fund. Thereafter, provides for an annual transfer of \$250,000.

Proposed law establishes the Technology Commercialization Fund as a special fund in the state treasury for purposes of supporting a competitive grants program for commercialization of technologies developed at accredited Louisiana institutions of higher education and academic research centers. Provides for the transfer of monies from certain cigarette tax increases to the fund. Monies in the fund shall be invested by the state treasurer and interest earnings shall be credited to the fund. Any unencumbered or unexpended monies in the fund at the end of the fiscal year shall remain in the fund.

Proposed law provides that, subject to an annual appropriation by the legislature, monies in the fund shall be used by the Louisiana Economic Development Corporation (LEDC) to provide for a competitive grants program for the advancement of commercialization of technologies developed at accredited Louisiana institutions of higher education and academic research centers.

Proposed law requires that LEDC establish a committee comprised of representatives of the public and private sectors to assist in the review and consideration of proposals for grants. LEDC is directed to develop the rules of the grants program.

Dedicates the portion of cigarette proceeds contingent upon an increase in cigarette taxes in excess of the rate in effect as of January 1, 2009.

Establishment of the Technology Commercialization Fund is effective July 1, 2009.

Conditions the effectiveness of the provision authorizing the transfer of funds derived from the proceeds of the taxes on cigarettes on the increase in the tax imposed on cigarettes during the 2009 Regular Session to an amount in excess of the rate in effect as of January 1, 2009.

(Adds R.S. 47:870 and R.S. 51:2357)