

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB 1230

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Delegate Herring

3. Committee: Education

4. Title: Clarify student intellectual property rights

5. Summary: This bill amends the statutes regarding the Commonwealth Research Commercialization Fund (CRCF) and those regarding the intellectual property (IP) policies of Virginia's public institutions of higher education by:

- inserting a reference to subsection A of § 23-4.3, Code of Virginia, into the definition of a "qualifying institution" in the CRCF statute (§ 2.2-2233.1, Code of Virginia),
- clarifying that student employees are included among those employees who are covered by the institutions' IP policies, and
- requiring the boards of visitors of Virginia's public institutions of higher education to adopt policies that are supportive of the IP rights of matriculated students who are not employees of the institutions.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary (see Section 8)

8. Fiscal Implications: As currently written, this proposed legislation does not have a fiscal impact.

9. Specific Agency or Political Subdivisions Affected: Virginia's four-year public institutions of higher education, the Virginia Community College System, and Richard Bland College

10. Technical Amendment Necessary: Yes. Line 130, after "education" insert ", including the State Board for Community Colleges,".

11. Other Comments: This bill leaves to the discretion of each board of visitors the definition of "supportive" and its translation into institutional policy. Consideration could be given to defining "supportive" and "student employee".

Date: 01/28/16 sas
c: Secretary of Education