COMMITTEE REPORT

January 28, 2015

**H. 3200**

Introduced by Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G.A. Brown, R.L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G.M. Smith, G.R. Smith, McCoy, Clary and J.E. Smith

S. Printed 1/28/15--H.

Read the first time January 13, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (H. 3200) to amend the Code of Laws of South Carolina, 1976, by adding Section 8‑13‑756 so as to provide that certain provisions pertaining to use of official position or office, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

F. GREGORY DELLENEY, JR. for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑13‑756 SO AS TO PROVIDE THAT CERTAIN PROVISIONS PERTAINING TO USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, REPORTING OF PARTICULAR GIFTS, RESTRICTIONS ON FUTURE EMPLOYMENT AND RELATED PROVISIONS, DO NOT APPLY TO A PUBLIC EMPLOYEE OF AN INSTITUTION OF HIGHER EDUCATION WHO PARTICIPATES IN THE DEVELOPMENT OF INTELLECTUAL PROPERTY THAT BENEFITS THE INSTITUTION AND THE STATE OF SOUTH CAROLINA, IF THE INSTITUTION OF HIGHER EDUCATION RETAINS SOME ROYALTY RIGHTS TO THE INTELLECTUAL PROPERTY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑756. The provisions of Sections 8‑13‑700, 8‑13‑710, 8‑13‑715, and 8‑13‑755 do not apply to a public employee of an institution of higher learning who participates in the development of intellectual property that benefits the institution and the State of South Carolina, provided that the institution of higher learning retains some royalty rights to the intellectual property.”

SECTION 2. This act takes effect upon approval by the Governor.

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