SPONSOR: Sen. Brown & Rep. Bush
Sens. Cruce, Hansen, Hoffner, Huxtable, Mantzavinos, Pettyjohn, Walsh, Wilson; Reps. Berry, Carson, Griffith, Osienski, Ross Levin

DELAWARE STATE SENATE
153rd GENERAL ASSEMBLY

# SENATE BILL NO. 315

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE TECHNICAL INNOVATION PROGRAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 87A, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8736A. Duties.

In carrying out this Program, to promote technology development and utilization within the small business sector, the duties of the Division shall include but not be limited to:

(4) Administer state matching funds in association with the Delaware Technical Innovation Program for the federal SBIR and STTR Programs ~~to provide state matching funds to compensate for the lag between federal Phase I and Phase II awards under the SBIR and STTR Programs.~~ to provide matching funds or supplemental grant funds to eligible Delaware small businesses receiving federal SBIR or STTR awards, in order to support research, development, commercialization, and economic benefit in this State.

§ 8737A. ~~Matching funds for federal Small Business Innovation Research Program.~~ Matching or supplemental funds for federal Small Business Innovation Research Program and Small Business Technology Transfer Program.

(a) ~~The State may provide matching funds up to a maximum of the federal grant for Phase I if:~~ Subject to funds allocated or otherwise made available for such purpose, the State may provide matching funds or supplemental grant funds to an eligible small business that has received a federal SBIR or STTR Phase I or Phase II award.

~~(1) A small business has won a Phase I award in the federal SBIR or STTR Programs;~~

~~(2) Such small business has submitted a proposal for a Phase II award;~~

~~(3) Such small business' principal place of business is located in this State; and~~

~~(4) Such small business certifies that the research to be conducted will benefit the Delaware economy.~~

(b) ~~The Council shall establish criteria and the Division shall administer the state matching funds.~~ To qualify for funding under this section, a small business must have its principal place of business in this State and certify that the funded work, related research and development, or commercialization activity will benefit the Delaware economy.

(c) The Division shall administer the program using funds allocated or otherwise made available for such purpose and may establish application requirements, program guidelines, allowable uses of funds, award amounts, and such other criteria as are necessary to carry out this section.

(d) The Council may allocate funds for the program from year to year in accordance with applicable law and available resources.

## SYNOPSIS

This act updates the Delaware Technical Innovation Program at Title 29 of the Delaware Code, Chapter 87A, Subchapter III by authorizing the Division of Small Business to provide matching funds or supplemental grant funds to eligible Delaware small businesses receiving federal SBIR or STTR awards in order to support research, development, commercialization, and economic benefit in this State. This act also authorizes the State to provide matching funds or supplemental grant funds to an eligible small business that has received a federal SBIR or STTR Phase I or Phase II award.

To qualify for funding under Title 29, § 8737A, a small business must have its principal place of business in Delaware and must certify that the funded work, related research and development, or commercialization activity will benefit the Delaware economy. The Division of Small Business shall administer the program using funds allocated or otherwise made available for such purpose and may establish application requirements, program guidelines, allowable uses of funds, award amounts, and such other criteria as are necessary to carry out § 8737A.

Author: Senator Brown