

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 12-129—HB 5279

Higher Education and Employment Advancement Committee

AN ACT CONCERNING PUBLIC INSTITUTIONS OF HIGHER EDUCATION

SUMMARY: This act makes changes to higher education statutes concerning (1) advertising bidding opportunities, (2) faculty consulting policy audits, (3) UConn Health Center (UHC) accounts receivables, (4) intellectual property ownership, and (5) UConn's relationship to the Board of Regents for Higher Education (BOR).

EFFECTIVE DATE: July 1, 2012

§ 1 — ADVERTISING BIDDING OPPORTUNITIES

The act eliminates a requirement that public higher education institutions advertise bidding opportunities for goods and services expected to cost more than \$50,000 in publications. It retains a requirement that such opportunities be posted online. Under prior law, institutions had to advertise the opportunities at least once in two or more publications, one of which had to be a major daily Connecticut newspaper.

§ 2 — FACULTY CONSULTING POLICY AUDITS

The act requires annual, rather than semiannual, internal audits of public higher education institutions' compliance with their faculty consulting policies adopted under the State Code of Ethics for Public Officials. By law, the policies must address (1) the appropriate use of the institutions' proprietary information, (2) conflicts of interest, and (3) the appropriate use of a faculty member's association with the institution.

§ 3 — UHC ACCOUNTS RECEIVABLES

The act eliminates a requirement that an independent auditor verify the book values of certain UHC accounts receivables estimated as collectible. These accounts include (1) John Dempsey Hospital and its clinical programs at UHC and (2) UHC's university physicians' clinical operations. The act instead requires the state auditors to verify these book values at the comptroller's request. By law, UConn must report the book values quarterly to the comptroller, who can approve expenditures against these values. The act also removes obsolete language concerning Uncas-on-Thames Hospital.

§ 4 — INTELLECTUAL PROPERTY OWNERSHIP

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Under prior law, UConn was entitled to (1) own or participate in the ownership of and (2) place in its research foundation's custody, inventions created by its employees under certain conditions. The employee inventor had to assign to the university his or her rights, title, and interest in an invention. The act instead specifies that UConn automatically owns or participates in the ownership of and is entitled to custody of these inventions. The requirement applies to inventions conceived by UConn employees solely, jointly, or with nonemployees (1) in performance of their customary or assigned duties; (2) that emerge from any research, development, or other university program; or (3) that are conceived or developed at UConn's expense or with the aid of its equipment, facilities, or personnel. Under the act, for such inventions developed by university employees, the entire right, title, and interest in the invention automatically vest to UConn. For inventions in which employees collaborated with nonemployees, the employees' disposable interests automatically vest with UConn.

§§ 5-7 — UCONN AND BOR

The act eliminates requirements that UConn (1) submit its mission statement to BOR for review and approval; (2) recommend institutional or campus mergers or closures to BOR, and it eliminates BOR's authority over UConn with respect to mergers and closures; and (3) submit a quarterly report to the Office of Policy and Management (OPM) through BOR on the actual expenditures of the UConn and UConn Health Center operating funds. In this last case, it instead requires UConn to submit this report directly to OPM.

OLR Tracking: TA:KM:JL:eh/ro