



SPONSOR: Rep. Roy & Sen. Venables

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 397

AN ACT TO AMEND SUBCHAPTER II-A OF CHAPTER 50 OF 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:

1           Section 1. Amend § 5035(b)(3), Title 29 of the Delaware Code by inserting after the comma (“,”) following the word  
2   “partnership” therein the following phrase “limited liability company, statutory or common law business trust,” and by  
3   inserting after the second occurrence of the word “corporation” therein the phrase “or other form of business entity” and by  
4   inserting after the word “Program” and before the period (“.”) at the end of that sentence the phrase “or Small Business  
5   Technology Transfer Program”.

6           Section 2. Amend § 5035(b)(4), Title 29 of the Delaware Code by striking the acronym “SBIR” and substituting in  
7   lieu thereof the phrase “SBIR Program” and by changing the first letter of the second occurrence of the word “Program” to the  
8   lower case.

9           Section 3. Amend § 5035, Title 29 of the Delaware Code by redesignating paragraph (b)(4) thereof as paragraph  
10   (b)(5) and inserting a new paragraph (b)(4) to read as follows:

11                   “(b)(4) ‘Small Business Technology Transfer Program’ or ‘STTR Program’ means that program, enacted  
12                   pursuant to the Small Business Technology Transfer Act of 1992 (P. L. 102-564) [15 U.S.C. § 638], which provides  
13                   funds to small businesses to conduct jointly with non-profit research institutions, cooperative research and  
14                   development having commercial application.”.

15           Section 4. Amend § 5036(1), Title 29 of the Delaware Code by striking the word “Program” and substituting in lieu  
16   thereof the phrase “and STTR Programs”.

17           Section 5. Amend §5036(2), Title 29 of the Delaware Code by striking the phrase “Small Business Innovation  
18   Research (SBIR) Program” and substituting in lieu thereof the phrase “SBIR and STTR Programs”.

19           Section 6. Amend § 5036(4), Title 29 of the Delaware Code by striking the word “Program” where it appears after the  
20 acronym “SBIR” and before the word “to” and substituting in lieu thereof the phrase “and STTR Programs” and by adding  
21 after the word “awards” and before the period (“.”) the phrase “under the SBIR and STTR Programs”.

22           Section 7. Amend § 5037(a)(1), Title 29 of the Delaware Code by striking the phrase “Small Business Innovation  
23 Research (SBIR) Program” and substituting in lieu thereof the phrase “SBIR or STTR Programs”.

24           Section 8. This Act shall become effective upon its enactment into law.

#### SYNOPSIS

The Act amends the Delaware Technical Innovation Program (the “DTIP”) statute to permit the Delaware Economic Development Office to provide assistance to Delaware small businesses participating not only in the Federal Small Business Innovation Research Program, but also in the Federal Small Business Technology Transfer Program. Both of these federal programs are designed to encourage small businesses to conduct research into technologies that can be commercialized and thereby benefit the economy of the State. Heretofore, the DTIP statute permitted assistance only to small businesses participating in the Small Business Innovation Research Program. The Act also amends the statute to make DTIP assistance available to small businesses organized as enterprise vehicles other than corporations, partnerships and sole proprietorships, i.e., as limited liability companies or business trusts. Finally, the Act makes certain minor conforming and stylistic changes to the DTIP statute.