

SECTION 1. Chapter Comm 121 is created to read:

CHAPTER Comm 121, SMALL BUSINESS INNOVATION RESEARCH ASSISTANCE PROGRAM

**Comm 121.01 Purpose and authority.** (1) **PURPOSE.** The purpose of this chapter is to set forth the criteria the department or its designee will use to administer the small business innovation research assistance program established under subch. III of ch. 560, Stats.

(2) **AUTHORITY.** This chapter is promulgated under the authority in s. 560.45 (3), Stats.

**Note:** Section 560.45 (2) of the Statutes limits the Department to awarding no more than \$250,000 in grants under this chapter in each fiscal year.

**Comm 121.02 Definitions.** In this chapter, “Department” means the department of commerce.

**Comm 121.03 Early stage technical assistance grants.** (1) An eligible applicant under this section is an individual who is starting, developing or operating a Wisconsin business that is in the early stage research and development phase preceding eligibility for grants under the federal small business innovation research program.

(2) Eligible activities are the professional services provided by an independent third party that are necessary for the applicant to become eligible for the federal small business innovation research program and may include any of the following:

- (a) Business planning.
- (b) Accounting and financial organization.
- (c) Grant writing assistance.
- (d) Market development.
- (e) Intellectual property costs.

(3) Annually the department or its designee shall allocate up to \$100,000 for grants under this section.

(4) A grant to an applicant under this section may not exceed \$15,000.

**Comm 121.04 Technical assistance grants for small business innovation research.** (1) An eligible applicant under this section is an individual who is starting, developing or operating a Wisconsin business and who is preparing an application for participation in the federal small business innovation research program.

(2) Eligible activities are the professional services provided by an independent third party that are necessary to prepare an application for participation in the federal small business innovation research program.

(3) Annually the department or its designee shall allocate up to \$50,000 for grants under this section.

(4) A grant to an applicant under this section may not exceed \$15,000.

**Comm 121.05 Commercialization grants.** (1) An eligible applicant under this section is a Wisconsin business that has received prior federal small business innovation research funding and is in the commercialization phase of this activity.

(2) Eligible activities are those that are necessary to participate in phase III of the federal small business innovation research program, and include work that derives from, extends, or logically concludes efforts performed under prior federal funding from that program.

(3) Annually the department or its designee shall allocate up to \$100,000 for grants under this section.

**Comm 121.06 Match requirement.** A minimum of 25% of eligible project costs shall be paid in cash and shall be from sources other than the state.

**Comm 121.07 Criteria.** The department or its designee shall consider the following when making an award under this chapter:

(1) The amount of economic impact the applicant, if successful, will have in this state.

(2) The quality of the professional service provider assisting the applicant.

(3) The level of need demonstrated by the applicant.

(4) Whether the applicant has or will have a business location in this state.

**Note:** Application materials for awards under this chapter may be accessed through the Department's Web site at [www.commerce.wi.gov/BD](http://www.commerce.wi.gov/BD).

**Note:** See chapter Comm 149 for additional requirements relating to (1) contracts between the Department and recipients of economic-development grants; (2) submittal of statements for such grants; and (3) penalties for submitting false or misleading information, or for failing to comply with the terms of a contract.

**(END)**

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EFFECTIVE DATE

Pursuant to s. 227.22 (2) (intro.), Stats., these rules shall become effective on the first day of the month commencing after publication in the Wisconsin administrative register.

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*File reference: Comm 121/rules PH*