

By: Thompson

H.J.R. No. 71

A JOINT RESOLUTION

1 proposing a constitutional amendment establishing the Texas
2 Institute for Regenerative Medicine, authorizing the issuance of
3 bonds for the purposes of the institute, and prohibiting the
4 legislature from prohibiting stem cell research.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Article XVI, Texas Constitution, is amended by
7 adding Sections 73 and 74 to read as follows:

8 Sec. 73. (a) The legislature shall establish the Texas
9 Institute for Regenerative Medicine to:

10 (1) make grants and loans to institutions of higher
11 education and advanced medical research facilities in this state
12 for:

13 (A) stem cell research;

14 (B) facilities for stem cell research; and

15 (C) other vital research opportunities to
16 develop therapies, protocols, or medical procedures that will
17 result in, as speedily as possible, the cure for, or substantial
18 mitigation of, major diseases, injuries, and orphan diseases;

19 (2) support institutions of higher education and
20 advanced medical research facilities in this state in all stages of
21 the process of developing cures using regenerative medicine, from
22 laboratory research through successful clinical trials; and

23 (3) establish the appropriate regulatory standards
24 and oversight bodies for regenerative medicine research and

1 facilities development.

2 (b) Money authorized for, or made available to, the
3 institute may not be used for research involving human reproductive
4 cloning.

5 (c) The Texas Public Finance Authority shall issue and sell
6 general obligation bonds of the State of Texas in an aggregate
7 amount of \$900 million over a six-year period. The Texas Public
8 Finance Authority shall issue bonds in the amount of \$112.5 million
9 per year in the first three years and \$187.5 million per year in the
10 subsequent three years.

11 (d) The proceeds from the sale of the bonds shall be
12 deposited in the stem cell research account in the state treasury or
13 its successor account to be used by the Texas Institute for
14 Regenerative Medicine without further appropriation for the
15 purposes of this section.

16 (e) The expenses incurred in connection with the issuance of
17 the bonds and the costs of administering this section may be paid
18 from money in the stem cell research account.

19 (f) Bonds authorized under this section are a general
20 obligation of the state. While any of the bonds or interest on the
21 bonds is outstanding and unpaid, there is appropriated out of the
22 first money coming into the treasury in each fiscal year, not
23 otherwise appropriated by this constitution, the amount sufficient
24 to pay the principal of and interest on the bonds that mature or
25 become due during the fiscal year, less any amounts in the interest
26 and sinking accounts at the close of the preceding fiscal year that
27 are pledged to payment of the bonds or interest.

1 (g) Notwithstanding any other provision of this
2 constitution, the institute, which is established in state
3 government, may use money from the bonds issued under Subsection
4 (c) and federal or private grants to fund the institute's:

5 (1) operations;

6 (2) medical and scientific research, including
7 therapy development through clinical trials; and

8 (3) facilities.

9 Sec. 74. (a) In this section:

10 (1) "Pluripotent stem cells" means cells that are
11 capable of self-renewal and have broad potential to differentiate
12 into multiple adult cell types.

13 (2) "Progenitor cells" are multipotent or precursor
14 cells that are partially differentiated but retain the ability to
15 divide and give rise to differentiated cells.

16 (b) The legislature may not prohibit the performance of stem
17 cell research, including research involving:

18 (1) adult stem cells;

19 (2) cord blood stem cells;

20 (3) pluripotent stem cells derived from:

21 (A) somatic cell nuclear transfer; or

22 (B) surplus products of in vitro fertilization
23 treatments, if the products are donated under appropriate informed
24 consent procedures; and

25 (4) progenitor cells.

26 SECTION 2. This proposed constitutional amendment shall be
27 submitted to the voters at an election to be held November 8, 2005.

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1 The ballot shall be printed to permit voting for or against the
2 proposition: "The constitutional amendment establishing the Texas
3 Institute for Regenerative Medicine, authorizing the issuance of
4 bonds for the purposes of the institute, and prohibiting the
5 legislature from banning stem cell research."