

By: Keffer, Rose, Delisi, Morrison, Thompson,
et al.

H.J.R. No. 90

Substitute the following for H.J.R. No. 90:

By: Delisi

C.S.H.J.R. No. 90

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 establishment of the Cancer Prevention and Research Institute of
3 Texas and authorizing the issuance of general obligation bonds for
4 the purpose of scientific research of all forms of human cancer.

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

6 SECTION 1. Article III, Texas Constitution, is amended by
7 adding Section 67 to read as follows:

8 Sec. 67. (a) The legislature shall establish the Cancer
9 Prevention and Research Institute of Texas to:

10 (1) make grants to provide funds to public or private
11 persons to implement the Texas Cancer Plan, and to institutions of
12 learning and to advanced medical research facilities and
13 collaborations in this state for:

14 (A) research into the causes of and cures for all
15 forms of cancer in humans;

16 (B) facilities for use in research into the
17 causes of and cures for cancer; and

18 (C) research, including translational research,
19 to develop therapies, protocols, medical pharmaceuticals, or
20 procedures for the cure or substantial mitigation of all types of
21 cancer in humans;

22 (2) support institutions of learning and advanced
23 medical research facilities and collaborations in this state in all
24 stages in the process of finding the causes of all types of cancer

1 in humans and developing cures, from laboratory research to
2 clinical trials and including programs to address the problem of
3 access to advanced cancer treatment; and

4 (3) establish the appropriate standards and oversight
5 bodies to ensure the proper use of funds authorized under this
6 provision for cancer research and facilities development.

7 (b) The members of the governing body and any other
8 decision-making body of the Cancer Prevention and Research
9 Institute of Texas may serve four-year terms.

10 (c) The legislature by general law may authorize the Texas
11 Public Finance Authority to provide for, issue, and sell general
12 obligation bonds of the State of Texas on behalf of the Cancer
13 Prevention and Research Institute of Texas in an amount not to
14 exceed \$3 billion and to enter into related credit agreements. The
15 bonds shall be executed in the form, on the terms, and in the
16 denominations, bear interest, and be issued in installments as
17 prescribed by the Texas Public Finance Authority.

18 (d) Proceeds from the sale of the bonds shall be deposited
19 in separate funds or accounts, as provided by general law, within
20 the state treasury to be used by the Cancer Prevention and Research
21 Institute of Texas for the purposes of this section without
22 appropriation.

23 (e) Notwithstanding any other provision of this
24 constitution, the Cancer Prevention and Research Institute of
25 Texas, which is established in state government, may use the
26 proceeds from bonds issued under Subsection (c) of this section and
27 federal or private grants and gifts to pay for:

1 (1) grants for cancer research, for research
2 facilities, and for research opportunities in this state to develop
3 therapies, protocols, medical pharmaceuticals, or procedures for
4 the cure or substantial mitigation of all types of cancer in humans;

5 (2) the purchase, subject to approval by the Cancer
6 Prevention and Research Institute, of laboratory facilities by or
7 on behalf of a state agency or grant recipient; and

8 (3) the operation of the Cancer Prevention and
9 Research Institute of Texas.

10 (f) The bond proceeds may be used to pay the costs of issuing
11 the bonds and any administrative expense related to the bonds.

12 (g) While any of the bonds or interest on the bonds
13 authorized by this section is outstanding and unpaid, from the
14 first money coming into the state treasury in each fiscal year not
15 otherwise appropriated by this constitution, an amount sufficient
16 to pay the principal of and interest on bonds that mature or become
17 due during the fiscal year and to make payments that become due
18 under a related credit agreement during the fiscal year is
19 appropriated, less the amount in the sinking fund at the close of
20 the previous fiscal year.

21 (h) Bonds issued under this section, after approval by the
22 attorney general, registration by the comptroller of public
23 accounts, and delivery to the purchasers, are incontestable and are
24 general obligations of the State of Texas under this constitution.

25 SECTION 2. This proposed constitutional amendment shall be
26 submitted to the voters at an election to be held November 6, 2007.
27 The ballot shall be printed to permit voting for or against the

1 proposition: "The constitutional amendment requiring the creation
2 of the Cancer Prevention and Research Institute of Texas and
3 authorizing the issuance of up to \$3 billion in bonds payable from
4 the general revenues of the state for research in Texas to find the
5 causes of and cures for cancer."