

By: Keffer

H.J.R. No. 90

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 establishment of the Cancer Research Institute of Texas and
3 authorizing the issuance of general obligation bonds for the
4 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 Research Institute of Texas to:

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

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

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

17 (C) research to develop therapies, protocols,
18 medical pharmaceuticals, or procedures that will result in, as
19 speedily as possible, the cure for, or substantial mitigation of,
20 all types of cancer in humans;

21 (2) support institutions of learning and advanced
22 medical research facilities and collaborations in this state in all
23 stages in the process of finding the causes of all types of cancer
24 in humans and developing cures, from laboratory research to

1 clinical trials and including programs to address the problem of
2 access to advanced cancer treatment; and

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

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

14 (c) Proceeds from the sale of the bonds shall be deposited
15 in a separate account within the state treasury created by the
16 comptroller of public accounts for this purpose to be used by the
17 Cancer Research Institute of Texas for the purposes of this section
18 without appropriation.

19 (d) Notwithstanding any other provision of this
20 constitution, the Cancer Research Institute of Texas, which is
21 established in state government, may use the proceeds from bonds
22 issued under Subsection (b) of this section and federal or private
23 grants and gifts to pay for:

24 (1) grants and loans for cancer research, for research
25 facilities, and for research opportunities in this state to develop
26 therapies, protocols, medical pharmaceuticals, or procedures that
27 will result in, as speedily as possible, the cure for, or

1 substantial mitigation of, all forms of cancer in humans;

2 (2) the purchase, as authorized by the legislature by
3 general law or the General Appropriations Act, of needed laboratory
4 facilities by or on behalf of a state agency or grant recipient; and

5 (3) the operation of the Cancer Research Institute of
6 Texas.

7 (e) The maximum net effective interest rate to be borne by
8 bonds issued under this section may be set by general law.

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

18 (g) Bonds issued under this section, after approval by the
19 attorney general, registration by the comptroller of public
20 accounts, and delivery to the purchasers, are incontestable and are
21 general obligations of the State of Texas under this constitution.

22 SECTION 2. This proposed constitutional amendment shall be
23 submitted to the voters at an election to be held November 6, 2007.
24 The ballot shall be printed to permit voting for or against the
25 proposition: "The constitutional amendment requiring the creation
26 of the Cancer Research Institute of Texas and authorizing the
27 issuance of up to \$3 billion in bonds payable from the general

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1 revenues of the state for research in Texas to find the causes of
2 and cures for cancer."