

By: Ellis

S.B. No. 1754

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of certain institutions of higher
3 education in this state to use private money to perform scientific
4 research regarding regenerative or reparative medical therapies or
5 treatments.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subchapter Z, Chapter 51, Education Code, is
8 amended by adding Section 51.949 to read as follows:

9 Sec. 51.949. USE OF PRIVATE MONEY FOR RESEARCH REGARDING
10 CERTAIN REGENERATIVE OR REPARATIVE MEDICAL THERAPIES OR
11 TREATMENTS. (a) A public or private institution of higher
12 education may use money from private sources to perform scientific
13 research relating to regenerative or reparative medical therapies
14 or treatments regardless of whether that research has been
15 specifically approved by the state or federal government, provided
16 that the institution complies with all state or federal legal,
17 fiscal, or administrative requirements governing the research.

18 (b) A public or private institution of higher education
19 shall maintain in a separate account all revenue from private
20 sources that the institution intends to use for the purposes of
21 performing the research described by Subsection (a). The
22 institution may not commingle that revenue with any other state or
23 federal money.

24 (c) Each public or private institution of higher education

1 shall:

2 (1) ensure compliance with all applicable
3 requirements regarding use of state or federal money as necessary
4 to obtain public funds in the maximum amount and the most
5 advantageous proportions possible;

6 (2) seek funding in a manner that maximizes the total
7 amount of money available from federal, state, and private sources
8 for regenerative or reparative medical therapies or treatments; and

9 (3) authorize and account for the classification and
10 spending of funds from all sources in carrying out regenerative or
11 reparative medical therapies or treatments.

12 (d) Each public or private institution of higher education
13 shall establish a review board and require the board to review the
14 research program and all related practices and procedures in the
15 program periodically to ensure the necessary compliance with state
16 and federal law. The review board may recommend and the institution
17 of higher education may adopt practices and procedures for the
18 program that are stricter than those required under state or
19 federal law.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2007.