

By: Kolkhorst

H.B. No. 2379

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an adult stem cell research program.

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

SECTION 1. Subchapter H, Title 3, Education Code, is amended by adding Chapter 156 to read as follows:

CHAPTER 156. ADULT STEM CELL RESEARCH PROGRAM

Sec. 156.001. DEFINITIONS. In this chapter:

(1) "Adult stem cell" means an undifferentiated cell that is:

(A) found in differentiated tissue; and

(B) is able to renew itself and differentiate to yield all or nearly all of the specialized cell types of the tissue from which the cell originated.

(2) "Consortium" means the Texas Adult Stem Cell Research Consortium.

(3) "Institution of higher education" means an institution of higher education as defined by Section 61.003 or a private college or university that receives state funds.

(4) "Program" means the adult stem cell research program established under this chapter.

(5) "Research coordinating board" means the Texas Adult Stem Cell Research Coordinating Board.

Sec. 156.002. COMPOSITION OF RESEARCH COORDINATING BOARD.

1 (a) The Texas Adult Stem Cell Research Coordinating Board is  
2 composed of:

3 (1) two members representing the Texas Higher  
4 Education Coordinating Board, each of whom is appointed by the  
5 commissioner of higher education;

6 (2) two members representing the Health and Human  
7 Services Commission, each of whom is appointed by the executive  
8 commissioner of the commission;

9 (3) one member who is an interested person appointed  
10 by the lieutenant governor;

11 (4) seven professional members with special training  
12 and interest in:

13 (A) adult stem cell research;

14 (B) clinical applications involving adult stem  
15 cells; or

16 (C) commercialization of products or technology  
17 involving adult stem cell research and treatments; and

18 (5) members representing institutions of higher  
19 education participating in the consortium, with one member  
20 appointed by the president of each institution.

21 (b) The governor shall appoint four of the professional  
22 members, and the lieutenant governor shall appoint three of the  
23 professional members.

24 (c) The governor shall designate as the presiding officer of  
25 the research coordinating board a member of the board who does not  
26 represent an institution of higher education. The presiding  
27 officer serves in that capacity at the will of the governor.

1       (d) The members of the research coordinating board serve  
2 staggered six-year terms. If a vacancy occurs on the board, the  
3 appropriate appointing authority shall appoint, in the same manner  
4 as the original appointment, another person to serve for the  
5 remainder of the unexpired term.

6       Sec. 156.003. CONFLICT OF INTEREST. (a) In this section,  
7 "Texas trade association" means a cooperative and voluntarily  
8 joined association of business or professional competitors in this  
9 state designed to assist its members and its industry or profession  
10 in dealing with mutual business or professional problems and in  
11 promoting their common interest.

12       (b) A person may not be a member of the research  
13 coordinating board if:

14           (1) the person is an officer, employee, or paid  
15 consultant of a Texas trade association in the field of medicine; or

16           (2) the person's spouse is an officer, manager, or paid  
17 consultant of a Texas trade association in the field of medicine.

18       (c) A person may not be a member of the research  
19 coordinating board if the person is required to register as a  
20 lobbyist under Chapter 305, Government Code, because of the  
21 person's activities for compensation on behalf of a profession  
22 related to the operation of the board.

23       Sec. 156.004. COMPOSITION OF CONSORTIUM. (a) The research  
24 coordinating board shall establish the Texas Adult Stem Cell  
25 Research Consortium.

26       (b) The consortium is composed of participating  
27 institutions of higher education that:

1           (1) accept public money for adult stem cell research;

2 or

3           (2) otherwise agree to participate in the consortium.

4           Sec. 156.005. ADMINISTRATION OF PROGRAM; GUIDELINES AND  
5 PROCEDURES. (a) The research coordinating board shall administer  
6 the program to:

7           (1) make grants and loans to consortium members for:

8                   (A) adult stem cell research projects, including  
9 projects to develop therapies, protocols, or medical procedures  
10 involving adult stem cells;

11                   (B) the development of facilities to be used  
12 solely for adult stem cell research projects; and

13                   (C) the commercialization of products or  
14 technology involving adult stem cell research and treatments;

15           (2) support consortium members in all stages of the  
16 process of developing treatments and cures based on adult stem cell  
17 research, beginning with initial laboratory research through  
18 successful clinical trials;

19           (3) establish appropriate regulatory standards and  
20 oversight bodies for:

21                   (A) adult stem cell research conducted by  
22 consortium members; and

23                   (B) the development of facilities for consortium  
24 members conducting adult stem cell research; and

25           (4) assist consortium members in applying for grants  
26 or loans under the program.

27           (b) The research coordinating board shall develop research

1 priorities, guidelines, and procedures for providing grants and  
2 loans for specific research projects conducted by consortium  
3 members. The priorities, guidelines, and procedures must require  
4 the grants and loans to be made on a competitive, peer review basis.

5 Sec. 156.006. FUNDING. The program may be funded by:

6 (1) legislative appropriations; or

7 (2) gifts, grants, and donations described by Section  
8 156.007.

9 Sec. 156.007. GRANTS AND GIFTS. The consortium shall  
10 solicit, and the research coordinating board may accept on behalf  
11 of the consortium, a gift, grant, or donation made from any public  
12 or private source for the purpose of promoting adult stem cell  
13 research or commercialization.

14 Sec. 156.008. BIENNIAL REPORT. Not later than September 1  
15 of each even-numbered year, the research coordinating board shall  
16 submit a report of the board's activities and recommendations to  
17 the Texas Higher Education Coordinating Board and to the governor,  
18 the lieutenant governor, the speaker of the house of  
19 representatives, and the presiding officer of each legislative  
20 standing committee or subcommittee with jurisdiction over higher  
21 education.

22 SECTION 2. Not later than September 1, 2010, the Texas Adult  
23 Stem Cell Research Coordinating Board shall submit the first report  
24 of the board's activities and recommendations as required by  
25 Chapter 156, Education Code, as added by this Act.

26 SECTION 3. This Act takes effect September 1, 2009.