

By: Nelson, West

S.B. No. 73

A BILL TO BE ENTITLED

AN ACT

relating to debt issuance authority of and funding for the Cancer Prevention and Research Institute of Texas.

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

SECTION 1. Subchapter C, Chapter 1232, Government Code, is amended by adding Section 1232.1221 to read as follows:

Sec. 1232.1221. COMMENCEMENT OF CERTAIN MULTIYEAR CANCER-RELATED PROJECTS. (a) Funds may be distributed to a grant recipient for a multiyear project for which an award is granted by the Cancer Prevention and Research Institute of Texas Oversight Committee as authorized by Section 102.257, Health and Safety Code, after the authority has certified that obligations in an amount sufficient to pay the money needed to fund the project have been authorized for issuance by the authority and approved by the Bond Review Board.

(b) After issuing the obligations, the board shall:

(1) pay the costs of the issuance and any related bond administrative costs of the authority;

(2) certify to the Cancer Prevention and Research Institute of Texas and to the comptroller that the proceeds from the issuance are available; and

(3) deposit the proceeds into the state treasury to be credited to the account of the Cancer Prevention and Research Institute of Texas.

1           SECTION 2. Subsections (b) and (c), Section 102.201, Health  
2 and Safety Code, are amended to read as follows:

3           (b) The cancer prevention and research fund consists of:

4                 (1) patent, royalty, and license fees and other income  
5 received under a contract entered into as provided by Section  
6 102.255;

7                 (2) appropriations of money to the fund by the  
8 legislature, except that the appropriated money may not include the  
9 proceeds from the issuance of bonds authorized by Section 67,  
10 Article III, Texas Constitution;

11                 (3) gifts, grants, including grants from the federal  
12 government, and other donations received for the fund; and

13                 (4) interest earned on the investment of money in the  
14 fund.

15           (c) The fund may be used only to pay for:

16                 (1) grants for cancer research and for cancer research  
17 facilities in this state to realize therapies, protocols, and  
18 medical procedures for the cure or substantial mitigation of all  
19 types of cancer in humans;

20                 (2) the purchase, subject to approval by the  
21 institute, of laboratory facilities by or on behalf of a state  
22 agency or grant recipient;

23                 (3) grants to public or private persons to implement  
24 the Texas Cancer Plan;

25                 (4) the operation of the institute; ~~and~~

26                 (5) grants for cancer prevention and control programs  
27 in this state to mitigate the incidence of all types of cancer in

1 humans; and

2 (6) debt service on bonds issued as authorized by  
3 Section 67, Article III, Texas Constitution.

4 SECTION 3. Section 102.257, Health and Safety Code, is  
5 amended to read as follows:

6 Sec. 102.257. MULTIYEAR PROJECTS. The oversight committee  
7 may grant funds for a multiyear project. The oversight committee  
8 must specify the total amount of [All the] money approved [needed]  
9 to fund the [a] multiyear project. The total amount specified is  
10 considered for purposes of Section 102.253 to have been [must be]  
11 awarded in the state fiscal year that the project is approved by the  
12 research and prevention programs committee. The institute shall  
13 distribute only the money that will be expended during that fiscal  
14 year. The institute may maintain the remaining money needed in each  
15 subsequent fiscal year [shall be maintained] in an escrow account  
16 to be distributed by the institute as the money is needed [in  
17 subsequent years of the project].

18 SECTION 4. The changes in law made by this Act apply only to  
19 a grant of funds for a multiyear project by the Cancer Prevention  
20 and Research Institute of Texas Oversight Committee as authorized  
21 by Section 102.257, Health and Safety Code, as amended by this Act,  
22 made on or after June 1, 2011. A grant of funds for a multiyear  
23 project made before that date is governed by the law in effect on  
24 the date the grant was made, and the former law is continued in  
25 effect for that purpose.

26 SECTION 5. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2011.