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S.B. No. 73
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       By:
              Nelson
       (In the Senate - Filed November 8, 2010; January 31, 2011, read first time and referred to Committee on Finance; March 31, 2011, reported adversely, with favorable Committee
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       Substitute by the following vote: Yeas 15, Nays 0; March 31, 2011,
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       sent to printer.)
       COMMITTEE SUBSTITUTE FOR S.B. No. 73
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                                                                                      By: Nelson
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                                        A BILL TO BE ENTITLED
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1-9 AN ACT

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relating to debt issuance authority of and funding for the Cancer Prevention and Research Institute of Texas. 1-10 1-11

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:

COMMENCEMENT MULTIYEAR Sec. 1232.1221. OF CERTAIN 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.

SECTION 2. Subsections (b) and (c), Section 102.201, Health

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

- (1) patent, royalty, and license fees and other income received under a contract entered into as provided by Section 102.255;
- (2) appropriations of money to the fund by the legislature, except that the appropriated money may not include the proceeds from the issuance of bonds authorized by Section 67, Article III, Texas Constitution;
- (3) gifts, grants, including grants from the federal government, and other donations received for the fund; and
 (4) interest earned on the investment of money in the
- fund.

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

- (1) grants for cancer research and for cancer research facilities in this state to realize therapies, protocols, and medical procedures for the cure or substantial mitigation of all types of cancer in humans;
- (2) bу the purchase, subject to approval the institute, of laboratory facilities by or on behalf of a state agency or grant recipient;
- (3) grants to public or private persons to implement the Texas Cancer Plan;

(4)the operation of the institute; [and]

1-58 (5) grants for cancer prevention and control programs 1-59 in this state to mitigate the incidence of all types of cancer in 1-60 humans; and 1-61

debt service on bonds issued as authorized by (6) Section 67, Article III, Texas Constitution.
SECTION 3. Section 102.257, Health and Safety Code, is

amended to read as follows:

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

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

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

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