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BY: _____

FLOOR AMENDMENT NO. _____ 13 MAY 14 PM 9:11

Amend SB215 by

HOUSE OF REPRESENTATIVES

1 SECTION ____ Subtitle H, Title 3, Education Code, is
2 amended by adding Chapter 156 to read as follows:

3 CHAPTER 156. ADULT STEM CELL RESEARCH PROGRAM

4 Sec. 156.001. DEFINITIONS. In this chapter:

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

7 (A) found in differentiated tissue; and

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

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

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

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

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

20 Sec. 156.002. COMPOSITION OF RESEARCH COORDINATING BOARD.

21 (a) The Texas Adult Stem Cell Research Coordinating Board is
22 composed of seven members appointed as follows:

23 (1) three members who are interested persons,
24 including at least one person who represents an institution of
25 higher education, appointed by the governor;

26 (2) two members who are interested persons appointed
27 by the lieutenant governor; and

28 (3) two members who are interested persons appointed
29 by the speaker of the house of representatives.

1 **(b) The governor shall designate as the presiding officer**
2 **of the research coordinating board a board member appointed**
3 **under Subsection (a)(1) who represents an institution of higher**
4 **education. The presiding officer serves in that capacity at the**
5 **will of the governor.**

6 **(c) The members of the research coordinating board serve**
7 **staggered six-year terms. If a vacancy occurs on the board, the**
8 **appropriate appointing authority shall appoint, in the same**
9 **manner as the original appointment, another person to serve for**
10 **the remainder of the unexpired term.**

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

17 **(b) A person may not be a member of the research**
18 **coordinating board if:**

19 **(1) the person is an officer, employee, or paid**
20 **consultant of a Texas trade association in the field of**
21 **medicine;**

22 **(2) the person's spouse is an officer, manager, or**
23 **paid consultant of a Texas trade association in the field of**
24 **medicine; or**

25 **(3) the person is a member of the Texas Higher**
26 **Education Coordinating Board.**

27 **(c) A person may not be a member of the research**
28 **coordinating board if the person is required to register as a**
29 **lobbyist under Chapter 305, Government Code, because of the**
30 **person's activities for compensation on behalf of a profession**
31 **related to the operation of the board.**

1 Sec. 156.004. COMPOSITION OF CONSORTIUM. (a) The
2 research coordinating board shall establish the Texas Adult Stem
3 Cell Research Consortium.

4 (b) The consortium is composed of participating
5 institutions of higher education and businesses that:

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

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

9 Sec. 156.005. ADMINISTRATION OF PROGRAM; GUIDELINES AND
10 PROCEDURES. (a) The research coordinating board shall
11 administer the program to:

12 (1) make grants, investments, and loans to consortium
13 members for:

14 (A) adult stem cell research activities and
15 projects including but not limited to: pre-clinical trials and
16 studies, treatment protocol development, state and/or regulatory
17 submissions including FDA Investigational New Drug Applications
18 and approvals, clinical trials including the use of Contract
19 Research Organizations, Data Safety Monitoring Boards,
20 intellectual property development; pathways and processes to
21 commercialization as well as to address the collection;
22 development; cGMP manufacturing; characterization and use of
23 adult stem cells;

24 (B) the development of facilities to be used
25 solely for adult stem cell research projects or for the cGMP
26 manufacturing of adult stem cell and related projects; and

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

29 (2) support consortium members in all stages of the
30 process of developing treatments and cures based on adult stem
31 cell research, beginning with initial laboratory research

1 through successful cGMP manufacturing and clinical trials;

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

4 (A) adult stem cell research conducted by
5 consortium members; and

6 (B) the development of facilities for consortium
7 members conducting adult stem cell research and cGMP
8 manufacturing; and

9 (4) assist consortium members in applying for grants,
10 investments, or loans under the program.

11 (b) The research coordinating board shall develop research
12 priorities, guidelines, and procedures for providing grants,
13 investments, and loans for specific research projects conducted
14 by consortium members. The priorities, guidelines, and
15 procedures must require the grants and loans to be made on a
16 competitive, peer review basis.

17 Sec. 156.006. FUNDING. The program may only be funded by
18 gifts, grants, investments, and donations described by Section
19 156.007.

20 Sec. 156.007. GIFTS, GRANTS, AND DONATIONS. The
21 consortium shall solicit, and the research coordinating board
22 may accept on behalf of the consortium, a gift, grant, or
23 donation made from any public or private source for the purpose
24 of promoting adult stem cell research or commercialization.

25 Sec. 156.008. BIENNIAL REPORT. Not later than September 1
26 of each even-numbered year, the research coordinating board
27 shall submit a report of the board's activities and
28 recommendations to the Texas Higher Education Coordinating Board
29 and to the governor, the lieutenant governor, the speaker of the
30 house of representatives, and the presiding officer of each
31 legislative standing committee or subcommittee with jurisdiction

1 over higher education.

2 SECTION____. Section 162.001, Health and Safety Code, is
3 amended by adding Subdivision (4) to read as follows:

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

6 (A) found in differentiated tissue; and

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

10 SECTION____. Chapter 162, Health and Safety Code, is
11 amended by adding Section 162.020 to read as follows:

12 Sec. 162.020. ADULT STEM CELL COLLECTION. Blood obtained
13 by a blood bank may be used for the collection of adult stem
14 cells if the donor consents in writing to that use.

15 SECTION____. Section 241.003, Health and Safety Code, is
16 amended by amending Subdivision (1) and adding Subdivision (1-a)
17 to read as follows:

18 (1) "Adult stem cell" has the meaning assigned by
19 Section 162.001.

20 (1-a) "Advanced practice nurse" means a registered
21 nurse recognized as an advanced practice nurse by the Texas
22 Board of Nursing.

23 SECTION____. Subchapter A, Chapter 241, Health and Safety
24 Code, is amended by adding Section 241.009 to read as follows:

25 Sec. 241.009. USE OF ADULT STEM CELLS. A hospital may use
26 adult stem cells in a procedure if a physician providing
27 services at the hospital determines that the use of adult stem
28 cells in the procedure is appropriate and the patient consents
29 in writing to the use.

30 SECTION____. (a) As soon as practicable after the
31 effective date of this Act, the governor, lieutenant governor,

1 and speaker of the house of representatives shall appoint
2 members to the Texas Adult Stem Cell Research Coordinating
3 Board, as required by Section 156.002, Education Code, as added
4 by this Act, as follows:

5 (1) the governor shall appoint one member to a term
6 expiring February 1, 2015, one member to a term expiring
7 February 1, 2017, and one member to a term expiring February 1,
8 2019;

9 (2) the lieutenant governor shall appoint one member
10 to a term expiring February 1, 2017, and one member to a term
11 expiring February 1, 2019; and

12 (3) the speaker of the house of representatives shall
13 appoint one member to a term expiring February 1, 2017, and one
14 member to a term expiring February 1, 2019.

15 (b) Not later than September 1, 2014, the Texas Adult Stem
16 Cell Research Coordinating Board shall submit the first report
17 of the board's activities and recommendations as required by
18 Chapter 156, Education Code, as added by this Act.