

A BILL TO BE ENTITLED

AN ACT

relating to the research, collection, and use of adult stem cells.

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

SECTION 1. Subtitle 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) 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.

(a) The Texas Adult Stem Cell Research Coordinating Board is

1 composed of seven members appointed as follows:

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

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

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

9 (b) The governor shall designate as the presiding officer of
10 the research coordinating board a board member appointed under
11 Subsection (a)(1) who represents an institution of higher
12 education. The presiding officer serves in that capacity at the
13 will of the governor.

14 (c) The members of the research coordinating board serve
15 staggered six-year terms. If a vacancy occurs on the board, the
16 appropriate appointing authority shall appoint, in the same manner
17 as the original appointment, another person to serve for the
18 remainder of the unexpired term.

19 Sec. 156.003. CONFLICT OF INTEREST. (a) In this section,
20 "Texas trade association" means a cooperative and voluntarily
21 joined association of business or professional competitors in this
22 state designed to assist its members and its industry or profession
23 in dealing with mutual business or professional problems and in
24 promoting their common interest.

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

27 (1) the person is an officer, employee, or paid

1 consultant of a Texas trade association in the field of medicine;

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

4 (3) the person is a member of the Texas Higher
5 Education Coordinating Board.

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

11 Sec. 156.004. COMPOSITION OF CONSORTIUM. (a) The research
12 coordinating board shall establish the Texas Adult Stem Cell
13 Research Consortium.

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

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

17 or

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

19 Sec. 156.005. ADMINISTRATION OF PROGRAM; GUIDELINES AND
20 PROCEDURES. (a) The research coordinating board shall administer
21 the program to:

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

23 (A) adult stem cell research projects, including
24 projects to develop therapies, protocols, or medical procedures
25 involving adult stem cells;

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

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

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

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

9 (A) adult stem cell research conducted by
10 consortium members; and

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

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

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

20 Sec. 156.006. FUNDING. The program shall be funded by
21 gifts, grants, and donations described by Section 156.007. The
22 program may not be funded by legislative appropriations.

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

1 Sec. 156.008. BIENNIAL REPORT. Not later than September 1
2 of each even-numbered year, the research coordinating board shall
3 submit a report of the board's activities and recommendations to
4 the Texas Higher Education Coordinating Board and to the governor,
5 the lieutenant governor, the speaker of the house of
6 representatives, and the presiding officer of each legislative
7 standing committee or subcommittee with jurisdiction over higher
8 education.

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

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

13 (A) found in differentiated tissue; and

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

17 SECTION 3. Chapter 162, Health and Safety Code, is amended
18 by adding Section 162.020 to read as follows:

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

22 SECTION 4. Section 241.003, Health and Safety Code, is
23 amended by amending Subdivision (1) and adding Subdivision (1-a) to
24 read as follows:

25 (1) "Adult stem cell" has the meaning assigned by
26 Section 162.001.

27 (1-a) "Advanced practice nurse" means a registered

1 nurse recognized as an advanced practice nurse by the Texas Board of
2 Nursing.

3 SECTION 5. Subchapter A, Chapter 241, Health and Safety
4 Code, is amended by adding Section 241.010 to read as follows:

5 Sec. 241.010. USE OF ADULT STEM CELLS. A hospital may use
6 adult stem cells in a procedure if a physician providing services at
7 the hospital determines that the use of adult stem cells in the
8 procedure is appropriate and the patient consents in writing to the
9 use.

10 SECTION 6. (a) As soon as practicable after the effective
11 date of this Act, the governor, lieutenant governor, and speaker of
12 the house of representatives shall appoint members to the Texas
13 Adult Stem Cell Research Coordinating Board, as required by Section
14 156.002, Education Code, as added by this Act, as follows:

15 (1) the governor shall appoint one member to a term
16 expiring February 1, 2017, one member to a term expiring February 1,
17 2019, and one member to a term expiring February 1, 2021;

18 (2) the lieutenant governor shall appoint one member
19 to a term expiring February 1, 2019, and one member to a term
20 expiring February 1, 2021; and

21 (3) the speaker of the house of representatives shall
22 appoint one member to a term expiring February 1, 2019, and one
23 member to a term expiring February 1, 2021.

24 (b) Not later than September 1, 2016, the Texas Adult Stem
25 Cell Research Coordinating Board shall submit the first report of
26 the board's activities and recommendations as required by Chapter
27 156, Education Code, as added by this Act.

1 SECTION 7. This Act takes effect September 1, 2015.