

By: Oliverson

H.B. No. 2252

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibitions on the use of grant money awarded by the  
3 Cancer Prevention and Research Institute of Texas to procure or  
4 obtain organs from a hospital located in China.

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

6 SECTION 1. Section 102.251, Health and Safety Code, is  
7 amended by adding Subsection (f) to read as follows:

8 (f) The institute may not award a grant to an applicant  
9 whose proposed research project requires the applicant to procure  
10 or otherwise obtain from a hospital located in China an organ for  
11 organ transplantation or another purpose.

12 SECTION 2. Section 102.255(c), Health and Safety Code, is  
13 amended to read as follows:

14 (c) The contract must:

15 (1) include terms relating to intellectual property  
16 rights consistent with the standards developed by the oversight  
17 committee under Section 102.256;

18 (2) require, in accordance with Subsection (d), the  
19 grant recipient to dedicate an amount of matching funds equal to  
20 one-half of the amount of the research grant awarded; ~~and~~

21 (3) specify:

22 (A) the amount of matching funds to be dedicated  
23 under Subdivision (2);

24 (B) the period in which the grant award must be

1 spent;

2 (C) the name of the research project to which  
3 matching funds are to be dedicated; and

4 (D) the specific deliverables of the project that  
5 is the subject of the grant proposal; and

6 (4) require a grant recipient to certify in writing as  
7 a term of the contract that the recipient will not use grant money  
8 awarded under this chapter to procure or otherwise obtain from a  
9 hospital located in China an organ for organ transplantation or  
10 another purpose.

11 SECTION 3. (a) The changes in law made by this Act apply  
12 only to a grant awarded or contract entered into or renewed under  
13 Chapter 102, Health and Safety Code, on or after the effective date  
14 of this Act.

15 (b) The Cancer Prevention and Research Institute of Texas  
16 shall seek to amend the terms of each contract entered into with a  
17 grant recipient under Chapter 102, Health and Safety Code, before  
18 the effective date of this Act to require the recipient to comply  
19 with Section 102.255(c)(4), Health and Safety Code, as added by  
20 this Act. To the extent of a conflict between that subdivision and  
21 a provision of a contract with a grant recipient entered into before  
22 the effective date of this Act, the contract provision prevails.

23 SECTION 4. This Act takes effect September 1, 2021.