88R12169 MCF-D

By:  Oliverson H.B. No. 3914

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

(c)  The contract must:

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

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

(3)  specify:

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

(B)  the period in which the grant award must be spent;

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

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

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

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

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

SECTION 4.  This Act takes effect September 1, 2023.