88R19451 SRA-F

By:  Thompson of Harris, Craddick, Buckley, H.J.R. No. 135

     et al.

Substitute the following for H.J.R. No. 135:

By:  Kuempel C.S.H.J.R. No. 135

A JOINT RESOLUTION

proposing a constitutional amendment providing for the establishment of the Mental Health and Brain Research Institute of Texas and establishing the Mental Health and Brain Institute Research Fund for the purposes of scientific research of all forms of mental health and human brain disease and disorders.

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

SECTION 1.  Article III, Texas Constitution, is amended by adding Section 68 to read as follows:

Sec. 68.  (a) The legislature shall establish the Mental Health and Brain Research Institute of Texas to:

(1)  award grants to institutions of learning, advanced medical research facilities, public or private persons, and collaborations in this state to provide funds for:

(A)  research into the causes of, means of prevention of, and the treatment, rehabilitation, protocols, and cures for:

(i)  mental health and human brain-related diseases, syndromes, disorders, dysfunctions, and injuries;

(ii)  developmental issues;

(iii)  neurological health issues;

(iv)  behavioral health issues; and

(v)  substance use disorders and other addictions;

(B)  research into other issues affecting mental health and the human brain, including issues that directly or indirectly affect or are affected by mental health or the brain or brain health, such as the gut microbiome, nutrition, the spinal cord, or the nervous system;

(C)  facilities, equipment, supplies, salaries, benefits, and other costs related to brain research;

(D)  research, including translational research, to develop therapies, protocols, medical pharmaceuticals, or procedures for the cure or substantial mitigation of all types of brain diseases and disorders; and

(E)  prevention programs and strategies to mitigate the incidence of detrimental health impacts on the brain;

(2)  support institutions of learning and advanced medical research facilities and collaborations in this state in all stages of the process of:

(A)  discovering the causes of all types of:

(i)  mental and behavioral health issues;

(ii)  human brain-related diseases, syndromes, disorders, dysfunctions, and injuries;

(iii)  developmental issues; and

(iv)  neurological health issues;

(B)  developing therapies, protocols, medical pharmaceuticals, or procedures for the cure or substantial mitigation of mental health and brain diseases and disorders from laboratory research to clinical trials; and

(C)  developing programs to address access to advanced treatment of mental health and brain diseases or disorders; and

(3)  establish the appropriate standards and oversight bodies to ensure the proper use of funding authorized under this section for brain research and facilities development.

(b)  The members of the governing body and any other decision-making body of the Mental Health and Brain Research Institute of Texas may serve six-year terms.

(c)  The Mental Health and Brain Institute Research Fund is established as a special fund in the state treasury outside the general revenue fund to be administered by the institute.

(d)  On January 1, 2024, the comptroller shall transfer $3 billion from the general revenue fund to the Mental Health and Brain Institute Research Fund. The transfer made under this subsection is not an appropriation of state tax revenues for the purposes of Section 22, Article VIII, of this constitution. This subsection expires January 1, 2025.

(e)  The Mental Health and Brain Institute Research Fund consists of:

(1)  money transferred to the fund under this section;

(2)  money appropriated, credited, or transferred to the fund by the legislature;

(3)  gifts and grants, including grants from the federal government, and other donations received for the fund;

(4)  patent, royalty, and license fees and other income received under a contract entered into by the Mental Health and Brain Research Institute of Texas; and

(5)  investment earnings and interest earned on amounts credited to the fund.

(f)  Notwithstanding any other provision of this constitution, the Mental Health and Brain Research Institute of Texas, as established by general law, may use money in the Mental Health and Brain Institute Research Fund only for the purpose of funding:

(1)  grants in this state for mental health and brain research, research facilities, and research opportunities in this state to develop therapies, protocols, medical pharmaceuticals, or procedures for the cure, substantial mitigation, or prevention of brain diseases or disorders;

(2)  grants for the prevention of mental and behavioral health issues and substance use disorders and other addictions, and brain disease and disorder prevention to mitigate the incidence of all types of brain diseases or disorders in humans;

(3)  the purchase, construction, or renovation, subject to approval by the institute, of facilities by or on behalf of a state agency or grant recipient; and

(4)  the operation of the institute.

(g)  Before the Mental Health and Brain Research Institute of Texas may award a grant under this section, the recipient of the grant must have an amount of funds equal to one-half the amount of the grant dedicated to the research that is the subject of the grant request.

(h)  The reasonable expenses of managing the fund's assets shall be paid from the fund.

SECTION 2.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment requiring the creation of the Mental Health and Brain Research Institute of Texas, establishing the Mental Health and Brain Institute Research Fund to provide funding for mental health and brain research in this state, and transferring general revenue to that fund."