

By: Thompson of Harris

H.J.R. No. 135

A JOINT RESOLUTION

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

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

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

9 Sec. 68. MENTAL HEALTH AND BRAIN RESEARCH INSTITUTE OF
10 TEXAS; MENTAL HEALTH AND BRAIN INSTITUTE RESEARCH FUND. (a) The
11 legislature shall establish the Mental Health and Brain Research
12 Institute of Texas to:

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

16 (A) research into the causes of and prevention,
17 treatment, rehabilitation, protocols, and cures for mental health
18 and human brain-related diseases, syndromes, disorders,
19 dysfunctions, injuries, developmental issues, neurological health
20 issues, behavioral health issues, and substance abuse disorders and
21 other addictions;

22 (B) research into any other issue impacting
23 mental health and the human brain, including an issue that directly
24 or indirectly impacts or is impacted by the brain or brain health,

1 such as the gut microbiome, nutrition, the spinal cord, or the
2 nervous system;

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

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

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

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

14 (A) discovering the causes of all types of mental
15 and behavioral health issues, human brain-related diseases,
16 syndromes, disorders, dysfunctions, injuries, developmental
17 issues, neurological health issues,

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

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

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

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

4 (c) The Mental Health and Brain Institute Research Fund is
5 established as a fund in the state treasury to be administered by
6 the comptroller of public accounts.

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

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

15 (1) money transferred to the fund under this article;

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

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

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

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

25 (f) Notwithstanding any other provision of this
26 constitution, the Mental Health and Brain Research Institute of
27 Texas, as established by general law, may use money in the Mental

1 Health and Brain Institute Research Fund only for the purpose of
2 funding:

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

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

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

15 (4) the operation of the institute.

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

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

1 transferring general revenue to that fund."