

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the  
2 establishment of the Cancer Prevention and Research Institute of  
3 Texas and authorizing the issuance of general obligation bonds for  
4 the purpose of scientific research of all forms of human cancer.

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

6 SECTION 1. Article III, Texas Constitution, is amended by  
7 adding Section 67 to read as follows:

8 Sec. 67. (a) The legislature shall establish the Cancer  
9 Prevention and Research Institute of Texas to:

10 (1) make grants to provide funds to public or private  
11 persons to implement the Texas Cancer Plan, and to institutions of  
12 learning and to advanced medical research facilities and  
13 collaborations in this state for:

14 (A) research into the causes of and cures for all  
15 forms of cancer in humans;

16 (B) facilities for use in research into the  
17 causes of and cures for cancer; and

18 (C) research, including translational research,  
19 to develop therapies, protocols, medical pharmaceuticals, or  
20 procedures for the cure or substantial mitigation of all types of  
21 cancer in humans;

22 (2) support institutions of learning and advanced  
23 medical research facilities and collaborations in this state in all  
24 stages in the process of finding the causes of all types of cancer

1 in humans and developing cures, from laboratory research to  
2 clinical trials and including programs to address the problem of  
3 access to advanced cancer treatment; and

4 (3) establish the appropriate standards and oversight  
5 bodies to ensure the proper use of funds authorized under this  
6 provision for cancer research and facilities development.

7 (b) The members of the governing body and any other  
8 decision-making body of the Cancer Prevention and Research  
9 Institute of Texas may serve four-year terms.

10 (c) The legislature by general law may authorize the Texas  
11 Public Finance Authority to provide for, issue, and sell general  
12 obligation bonds of the State of Texas on behalf of the Cancer  
13 Prevention and Research Institute of Texas in an amount not to  
14 exceed \$3 billion and to enter into related credit agreements. The  
15 Texas Public Finance Authority may not issue more than \$300 million  
16 in bonds authorized by this subsection in a year. The bonds shall  
17 be executed in the form, on the terms, and in the denominations,  
18 bear interest, and be issued in installments as prescribed by the  
19 Texas Public Finance Authority.

20 (d) Proceeds from the sale of the bonds shall be deposited  
21 in separate funds or accounts, as provided by general law, within  
22 the state treasury to be used by the Cancer Prevention and Research  
23 Institute of Texas for the purposes of this section.

24 (e) Notwithstanding any other provision of this  
25 constitution, the Cancer Prevention and Research Institute of  
26 Texas, which is established in state government, may use the  
27 proceeds from bonds issued under Subsection (c) of this section and

1 federal or private grants and gifts to pay for:

2 (1) grants for cancer research, for research  
3 facilities, and for research opportunities in this state to develop  
4 therapies, protocols, medical pharmaceuticals, or procedures for  
5 the cure or substantial mitigation of all types of cancer in humans;

6 (2) grants for cancer prevention and control programs  
7 in this state to mitigate the incidence of all types of cancer in  
8 humans;

9 (3) the purchase, subject to approval by the Cancer  
10 Prevention and Research Institute, of laboratory facilities by or  
11 on behalf of a state agency or grant recipient; and

12 (4) the operation of the Cancer Prevention and  
13 Research Institute of Texas.

14 (f) The bond proceeds may be used to pay the costs of issuing  
15 the bonds and any administrative expense related to the bonds.

16 (g) While any of the bonds or interest on the bonds  
17 authorized by this section is outstanding and unpaid, from the  
18 first money coming into the state treasury in each fiscal year not  
19 otherwise appropriated by this constitution, an amount sufficient  
20 to pay the principal of and interest on bonds that mature or become  
21 due during the fiscal year and to make payments that become due  
22 under a related credit agreement during the fiscal year is  
23 appropriated, less the amount in the sinking fund at the close of  
24 the previous fiscal year.

25 (h) Bonds issued under this section, after approval by the  
26 attorney general, registration by the comptroller of public  
27 accounts, and delivery to the purchasers, are incontestable and are

1 general obligations of the State of Texas under this constitution.

2 (i) Before the Cancer Prevention and Research Institute of  
3 Texas may make a grant of any proceeds of the bonds issued under  
4 this section, the recipient of the grant must have an amount of  
5 funds equal to one-half the amount of the grant dedicated to the  
6 research that is the subject of the grant request.

7 (j) The Texas Public Finance Authority shall consider using  
8 a business whose principal place of business is located in the state  
9 to issue the bonds authorized by this section and shall include  
10 using a historically underutilized business as defined by general  
11 law.

12 SECTION 2. This proposed constitutional amendment shall be  
13 submitted to the voters at an election to be held November 6, 2007.  
14 The ballot shall be printed to permit voting for or against the  
15 proposition: "The constitutional amendment requiring the creation  
16 of the Cancer Prevention and Research Institute of Texas and  
17 authorizing the issuance of up to \$3 billion in bonds payable from  
18 the general revenues of the state for research in Texas to find the  
19 causes of and cures for cancer."

David Suthurs

President of the Senate

Tom Cradick

Speaker of the House

I certify that H.J.R. No. 90 was passed by the House on May 9, 2007, by the following vote: Yeas 109, Nays 26, 2 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 90 on May 24, 2007, by the following vote: Yeas 116, Nays 26, 1 present, not voting.

Robert Hancy

Chief Clerk of the House

I certify that H.J.R. No. 90 was passed by the Senate, with amendments, on May 22, 2007, by the following vote: Yeas 24, Nays 7.

Patsy Spaw

Secretary of the Senate

RECEIVED: 5-29-07

Date

Roger Winnie

Secretary of State