

## **BILL ANALYSIS**

Senate Research Center  
85R3610 JG-D

S.B. 81  
By: Nelson  
Health & Human Services  
3/24/2017  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Texas voters overwhelmingly approved a constitutional amendment in 2007 to establish the Cancer Prevention and Research Institute of Texas (CPRIT) and authorized the state to issue bonds to fund groundbreaking cancer research and prevention programs and services in Texas. S.B. 81 ensures that CPRIT awards are granted in an ethical and transparent manner while allowing CPRIT to fulfill its fiduciary responsibility to the state.

As proposed, S.B. 81 amends current law relating to the operations of the Cancer Prevention and Research Institute of Texas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 572.003(c), Government Code, to include a member of the Cancer Prevention and Research Institute of Texas (CPRIT) among certain individuals who are appointed officers of a major state agency. Makes nonsubstantive changes.

SECTION 2. Amends Section 102.107, Health and Safety Code, as follows:

Sec. 102.107. POWERS AND DUTIES. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Authorizes the CPRIT oversight committee to conduct a closed meeting in accordance with Subchapter E (Procedures Relating to Closed Meeting), Chapter 551 (Open Meetings), Government Code to discuss issues related to managing, acquiring, or selling securities or other revenue-sharing obligations as required by Section 102.256 (Patent Royalties and License Revenues Paid to State).

SECTION 3. Amends Section 102.109, Health and Safety Code, by adding Subsection (c), to authorize, notwithstanding Subsection (b)(9) (relating to the code of conduct prohibiting certain CPRIT affiliates from serving on the board of directors of a grant recipient), a member of the CPRIT oversight committee, the CPRIT program integration committee, or CPRIT employee, to represent the interests of this state by serving in an unpaid position on the board of directors of a grant recipient only after CPRIT has awarded the grant to the recipient.

SECTION 4. Amends Section 102.203(e), Health and Safety Code, to provide that not more than 10 percent of the money appropriated by the legislature for grants in a state fiscal year, rather than not more than 10 percent of the money awarded under this subchapter, may be used for cancer prevention and control programs during that, rather than any, year.

SECTION 5. Amends Section 102.251, Health and Safety Code, by adding Subsection (f), to prohibit CPRIT from awarding a grant to an applicant who has on the applicant's board of directors a CPRIT oversight committee member, CPRIT program integration committee member, or CPRIT employee.

SECTION 6. Amends Section 102.256, Health and Safety Code, by adding Subsection (c), as follows:

(c) Authorizes the CPRIT oversight committee to transfer its management and disposition authority over the state's interest in royalties, income, and other benefits under Subchapter E (Cancer Prevention and Research Fund) to the Texas Treasury Safekeeping Trust Company (company). Provides that if the CPRIT oversight committee transfers authority under this subsection, the company has any power necessary to accomplish the purposes of this section.

SECTION 7. Repealer: Section 102.101(f) (relating to the required disclosure of political contributions by CPRIT oversight committee members), Health and Safety Code.

SECTION 8. Effective date: September 1, 2017.