



Stem Cell Legislative Tracking Chart

Bill #	Author/Sponsor	Companion	Tag	Summary	Status/Date
SB 2573	Ogden		Relating to annual reports by certain agencies conducting, funding, or supporting biomedical research.	As Engrossed in Senate: Adds Chapter 172: Biomedical Research to Title 2 of the Health and Safety Code. Defines "state agency" as a department/commission/board/office/agency in executive branch created by state constitution/statute including an institution of higher education. Requires an annual report by December 1 of each year from a state agency that conducts/funds/supports biomedical research of whether the agency conducted/funded/supported any research involving human stem cells or human cloning. Those that do, must include in report: 1. type of research that involves a. human stem cells and b. human cloning (both therapeutic and reproductive); 2. the process by which the human stem cells/lines were derived; 3. amount and source of state/federal/private grant and other money used; 4. use of state facilities; and 5. goals, progress and results of research. Information not to be included in the report include: information agency is not publicly required to disclose under open records or the name/address/personal identifying information of individuals conducting/participating in research. Initial report due by December 1, 2009.	05-15-09 H Referred to House Committee on House State Affairs <u>*Language is included in HB 51 which is tracked on the Higher Ed Chart and passed</u>
HB 543	Raymond	SB 1802 by Zaffirini	Relating to prohibiting human cloning and other uses of human tissue by institutions of higher education.	Amends Chapter 51 of the Education Code to add Subchapter I: Prohibition Against Human Cloning and Other Uses of Human Tissue. Defines: human cloning (implanting/attempting to implant the product of nuclear transplantation into a uterus), human somatic cell, institution of higher education, nuclear transplantation, nucleus, oocyte, regenerative or reparative medical therapy or treatment, and unfertilized blastocyst. Prohibits higher ed institutions from engaging in human cloning and maintaining unfertilized blastocysts longer than 14 days. Chapter does not prohibit scientific research. Requires research to be conducted with full consideration for ethical/medical implications of research, and reviewed by IRB for compliance. Requires oocytes to be donated voluntarily with informed consent. Prohibits purchasing/selling/transferring for value an oocyte/unfertilized blastocyst. Exempts from value: costs associated with transportation/processing/preservation/storage of oocyte or compensate donors for direct expenses. Institutions violating chapters are ineligible to receive state funds.	04-21-09 H Pending in House State Affairs



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				Imposes a civil penalty of not more than \$10 million.	
HB 822	Gonzalez Toureilles	Very similar to SB 2027 by Watson	Relating to gestational agreements.	Potential vehicle. Amends Sections 160.102, 160.752, 160.755, 160.756, 160.759, and 160.760 of the Family Code to reduce the requirement of multiple parents and instead require one person as the intended "parent" to enter into an agreement.	03-09-09 H Committee action pending House Judiciary and Civil Jurisprudence
HB 1190	Homer	SB 641 by Ellis	Relating to prohibiting human cloning.	Adds Chapter 174: Use of Human Cells and Tissue to Title 2 of the Health and Safety Code. Creates an offense of a felony of the first degree for implanting an embryo created other than by fertilization in a woman's womb.	04-21-09 Pending in House State Affairs
HB 1700	Laubenberg		Relating to the use of funds awarded by the Cancer Prevention and Research Institute of Texas.	Amends Section 102.203 of the Health and Safety Code to add a statement that money awarded under by the Cancer Prevention and Research Institute of Texas is prohibited from being used for embryonic or fetal stem cell research. Doesn't prevent money from being awarded for adult stem cell research or umbilical cord stem cells.	03-03-09 H Introduced and referred to committee on House Public Health
HB 1764	Woolley		Relating to the regulation of the use of human cells and tissue, including a ban on human cloning.	Adds Chapter 176: Biomedical Research Oversight to Title 2 of the Health and Safety Code. Defines: embryo, fertilization, human cloning (as implantation of embryo created by method other than fertilization), and oocyte. Prohibits human cloning. Establishes a civil penalty of up to \$10 million per violation. Establishes a criminal offense of first degree felony. Chapter does not restrict or prohibit scientific research for regenerative/reparative medical therapies or treatments. Research must be conducted with full ethical/medical implications and reviewed by IRB for compliance. Establishes an advisory committee on research by HHSC. Advisory committee consists of: 7 scientists with biomedical cell research, 1 representative from each health science center in TX,	03-03-09 H Introduced and referred to committee on House State Affairs



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				<p>1 leader of biotech industry, 1 medical ethicist, 1 person with legal background related to research, and 1 religious leader.</p> <p>Allows voluntary donation with informed consent of oocytes.</p> <p>Prohibits sale/purchase/transfer of value in return for oocyte. Allows reasonable payments for transportation/storage/processing.</p>	
SB 2027	Watson	Very Similar to HB 822 by Gonzalez Toureilles	Relating to gestational agreements.	Potential vehicle. Amends Sections 160.102, 160.752, 160.755, 160.756, 160.759, and 160.760 of the Family Code to reduce the requirement of multiple parents and instead require one person as the intended "parent" to enter into an agreement.	05-01-09 H Referred to House Committee on House Judiciary and Civil Jurisprudence
HB 2379	Kolkhorst	Similar to SB 73 by Nelson	Relating to the establishment of an adult stem cell research program.	<p>Adds Chapter 156: Adult Stem Cell Research Program to Title 3 of the Education Code. Defines: adult stem cell, consortium, institution of higher education, program, and research coordinating board. Establishes an Adult Stem Cell Research Coordinating Board consisting of: 2 members appointed by the commissioner of higher education representing the HECB; 2 HHSC representatives appointed by HHSC Commissioner; 1 interested person appointed by Governor; 7 professional members with special training/interest in: adult stem cell research, clinical applications involving adult stem cell research, or commercialization of products/technology involving adult stem cell research; and members representing institutions of higher education participating in the consortium (one appointed by the president of each institution). The Governor appoints 4 of the professional members, the Lt. Governor appoints 3. Governor designates presiding officer: cannot be a higher ed institution rep. Members serve staggered 6 year terms. Includes a conflict of interest provision: officers/employees/paid consultants of Texas trade associations in field of medicine or someone with a spouse who is one of the preceding cannot be on coordinating board. Excludes Lobbyists who are compensated for activities from professions related to board's operation. Establishes the Texas Adult Stem Cell Research Consortium composed of participating higher education institutions accepting public money for adult stem cell research or who agree to participate. Board administers program to: 1. provide grants/loan to consortium members for: adult stem cell projects, development of facilities used solely for adult stem cell research, and commercialization of products/technology involving adult stem cell research/treatments; 2.</p>	03-10-09 H Introduced and referred to committee on House Public Health



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				support consortium members in all stages of developing treatments/cures based on adult stem cell research beginning with initial lab research; 3. establish regulatory standards/oversight bodies for adult stem cell research conducted by members and facilities development; and 4. assist members in applying for grants/loans. Requires the board to develop research priorities/guidelines/procedures for grants/loans on a competitive/peer review basis. Funding is to come from legislative appropriations or gifts/grants/donations. Biennial reporting	
SB 73	Nelson		Relating to the establishment of an adult stem cell research program.	<p>As Substituted: Adds Chapter 156: Adult Stem Cell Research Program to Title 3 of the Education Code. Defines: adult stem cell, consortium, coordinating board, institution of higher education, multi-institutional, multi-investigator research project, program, and research oversight committee.</p> <p>Establishes an Adult Stem Cell Research Consortium to create/expedite innovation in adult stem cell research. Research Oversight Committee consists of: 2 members appointed by the commissioner of higher education representing the HECB; 2 HHSC representatives appointed by HHSC Commissioner; 1 interested person appointed by Governor; and 7 professional members with special training/interest in: adult stem cell research, clinical applications involving adult stem cells, or commercialization of products/technology involving adult stem cell research. Requires Governor to appoint five of professional members (2 from Speaker's list and 2 from Lt. Gov's list). Governor designates presiding officer. Members serve staggered 6 year terms. Includes a conflict of interest provision: officers/employees/paid consultants of Texas trade associations in field of medicine or someone with a spouse who is one of the preceding cannot be on coordinating board. Excludes Lobbyists who are compensated for activities from professions related to board's operation.</p> <p>Establishes the Texas Adult Stem Cell Research Consortium composed of participating higher education institutions accepting public money for adult stem cell research or who agree to participate; and Texas Cord Blood Bank, MD Anderson Cord Blood Bank, and any not-for-profit umbilical cord blood bank operating in TX.</p> <p>Requires Research Oversight Committee to establish an advisory committee to make recommendations based on prevailing international best practices. Advisory committee is composed of: member representing each consortium-participating institution of higher education and member representing each umbilical cord blood bank. Research Oversight</p>	05-21-09 H Referred to House Committee on House Public Health



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				<p>Committee administers program to: 1. make grants/loan to consortium members for: multi-institutional/multi-investigator adult stem cell projects and commercialization of products/technology; 2. support consortium participants in all stages of developing treatments/cures based on adult stem cell research; and 3. establish regulatory standards and oversight bodies for adult stem cell research conducted by participants. Research oversight committee with advisory committee is required to develop research priorities, guidelines and procedures for grants and loans. Prohibits money from being used for research using stem cells obtained after an induced abortion.</p> <p>Funding is to come from gifts/grants/donations. HECB is to provide administrative support.</p> <p>Biennial reporting.</p>	
SB 208	Shapleigh		<p>Relating to the regulation of the use of human cells and tissue, including a ban on human cloning.</p>	<p>Adds Chapter 176: Biomedical Research Oversight to Title 2 of the Health and Safety Code. Defines "human cloning" as implanting or attempting to implant into a uterus or the equivalent of, a human embryo created by a method other than fertilization. Defines "human embryo" as an organism of the species homo sapiens from single cell to eight weeks. Prohibits human cloning. Establishes a civil penalty and a criminal offense. Protects scientific research, including SCNT, to develop regenerative/reparative therapies/treatments and any other research not specifically prohibited by this chapter. Research must be conducted with full consideration for ethical/medical implications and reviewed by an IRB for compliance.</p> <p>Creates an advisory committee to develop research guidelines of: 1. 7 scientists with specific biomedical research experience; 2. one member of each health science center in Texas; 3. one member/leader in the biotechnology industry; 4. one medical ethicist; 5. one person with legal experience in these issues; and 6. one religious leader. All are to be appointed by HHSC Commissioner.</p> <p>Oocytes must be voluntarily donated with informed consent. Oocytes may be donated in course of fertility treatment. Consent to donation terminates parent-child relationship. Prohibits the sale of embryos and creates a criminal offense.</p>	<p>2/11/09 Referred to Senate Health and Human Services</p>
SB 641	Ellis	HB 1190 by Homer	<p>Relating to prohibiting human cloning.</p>	<p>Adds Chapter 174: Use of Human Cells and Tissue to Title 2 of the Health and Safety Code. Creates an offense of a felony of the first degree for implanting an embryo created other than by fertilization in a woman's womb.</p>	<p>02-23-09 S Introduced and referred to</p>



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					committee on Senate Health and Human Services
SB 1695	Ogden		Relating to prohibiting the use of state money or facilities for research involving the destruction of human embryos.	Adds Chapter 172: Use of Human Cells and Tissue to Title 2 of the Health and Safety Code. Prohibits state funds, facilities owned/leased/managed by a state agency/department/office for research involving the destruction of human embryos or to support the research.	03-20-09 S Introduced and referred to committee on Senate Finance
SB 1802	Zaffirini	HB 543 by Raymond	Relating to prohibiting human cloning and other uses of human tissue by institutions of higher education.	Amends Chapter 51 of the Education Code to add Subchapter I: Prohibition Against Human Cloning and Other Uses of Human Tissue. Defines: human cloning (implanting/attempting to implant the product of nuclear transplantation into a uterus), human somatic cell, institution of higher education, nuclear transplantation, nucleus, oocyte, regenerative or reparative medical therapy or treatment, and unfertilized blastocyst. Prohibits higher ed institutions from engaging in human cloning and maintaining unfertilized blastocysts longer than 14 days. Chapter does not prohibit scientific research. Requires research to be conducted with full consideration for ethical/medical implications of research, and reviewed by IRB for compliance. Requires oocytes to be donated voluntarily with informed consent. Prohibits purchasing/selling/transferring for value an oocyte/unfertilized blastocyst. Exempts from value: costs associated with transportation/processing/preservation/storage of oocyte or compensate donors for direct expenses. Institutions violating chapters are ineligible to receive state funds. Imposes a civil penalty of not more than \$10 million.	03-20-09 S Introduced and referred to committee on Senate Health and Human Services
SB 2030	Watson		Relating to the regulation of certain research.	Amends Title 10 of the Government Code to add Chapter 2312: Regulation of Certain Research. Defines: institutional review board, permit, project, regulatory agency, and research. Applies to projects conducted through public/private institution of higher education or business entity. Projects vest on date of initial IRB approval. Applicants are entitled to have regulatory agency consider permit on bases of orders, ordinances, rules, expiration dates in effect the date the project vested. These rights begin on the date the project vests and continue throughout	03-31-09 S Introduced and referred to committee on Senate



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				<p>scientific endeavor and commercialization efforts of original research. If permits are required, orders/rules in effect for original application of first permit are the sole basis for consideration of further permits. Prohibits regulatory agencies from shortening duration of permits. Allows permit holder to take advantage of changes in law that benefit/enhance a project. Does not interfere with compliance with technical requirements. Does not apply to permit changes that are enacted to address imminent threat or result in increased fee. Chapter is only enforceable through mandamus or declaratory/injunctive relief.</p>	<p>Health and Human Services</p>
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