

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0661.01 Jerry Barry x4341

HOUSE BILL 12-1219

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HOUSE SPONSORSHIP

Miklosi, Todd

SENATE SPONSORSHIP

Williams S.,

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House Committees

State, Veterans, & Military Affairs  
Appropriations

Senate Committees

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A BILL FOR AN ACT

101      **CONCERNING FUNDING FOR EMERGING MEDICAL DISCOVERIES AT THE**  
102           **HEALTH SCIENCES CENTER, AND, IN CONNECTION THEREWITH,**  
103           **MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill establishes a new fund to pay for the costs of clinical trials, governmental approval, and product sales of new medical products discovered at the health sciences center at the university of Colorado.

The bill appropriates \$10 million to the fund from the general

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

fund.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-20-137.5 as  
3 follows:

4 **23-20-137.5. Emerging medical research fund - legislative**  
5 **declaration - creation.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND  
6 DECLARES THAT:

7 (a) THE HEALTH SCIENCES CENTER AT THE UNIVERSITY OF  
8 COLORADO IS A PREMIER MEDICAL RESEARCH FACILITY ENGAGING IN  
9 RESEARCH IN EMERGING BIOMEDICAL, PHARMACEUTICAL, DIAGNOSTIC,  
10 AND MEDICAL DEVICE PRODUCTS;

11 (b) HOWEVER, ONCE THE INITIAL DEVELOPMENT STAGES OF  
12 RESEARCH, DISCOVERY, PATENTING, AND PROOF-OF-CONCEPT ARE  
13 COMPLETED, THE HEALTH SCIENCES CENTER LACKS THE FINANCIAL  
14 CAPABILITY TO COMPLETE THE PRODUCTION OF PRODUCTS THROUGH THE  
15 STAGES OF CLINICAL TRIAL, APPROVAL FROM THE FEDERAL FOOD AND  
16 DRUG ADMINISTRATION, AND PRODUCT SALE;

17 (c) THIS LACK OF FINANCIAL CAPABILITY CAUSES THE HEALTH  
18 SCIENCES CENTER TO POTENTIALLY LOSE MILLIONS OF DOLLARS IN THE  
19 SALE OF PRODUCTS INITIALLY DISCOVERED AT THE HEALTH SCIENCES  
20 CENTER; AND

21 (d) THE ESTABLISHMENT OF A FUND TO PAY FOR CLINICAL TRIALS,  
22 APPROVAL FROM THE FEDERAL FOOD AND DRUG ADMINISTRATION, AND  
23 PRODUCT SALES COULD RESULT IN THE STATE RECEIVING MILLIONS OF  
24 ADDITIONAL DOLLARS.

25 (2) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE

1 HEALTH SCIENCES CENTER EMERGING MEDICAL RESEARCH FUND,  
2 REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND CONSISTS OF ALL  
3 MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY, ANY  
4 MONEYS RECEIVED BY THE HEALTH SCIENCES CENTER TO PAY FOR  
5 CLINICAL TRIALS AND FEDERAL APPROVAL OF MEDICAL PRODUCTS, AND  
6 OTHER GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE HEALTH SCIENCES  
7 CENTER.

8 (b) MONEYS IN THE FUND ARE SUBJECT TO ANNUAL  
9 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE HEALTH SCIENCES  
10 CENTER TO PAY FOR CLINICAL TRIALS, APPROVAL FROM THE FEDERAL FOOD  
11 AND DRUG ADMINISTRATION, AND PRODUCT SALES FOR MEDICAL  
12 PRODUCTS DISCOVERED AND DEVELOPED AT THE HEALTH SCIENCES  
13 CENTER.

14 (c) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE  
15 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS  
16 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE  
17 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED  
18 TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS  
19 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN  
20 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE  
21 GENERAL FUND OR ANOTHER FUND.

22 **SECTION 2. Appropriation.** In addition to any other  
23 appropriation, there is hereby appropriated, out of any moneys in the  
24 general fund not otherwise appropriated, to the health sciences center  
25 emerging medical research fund, created in section 23-20-137.5,  
26 Colorado Revised Statutes, for the fiscal year beginning July 1, 2012, the  
27 sum of \$10,000,000, or so much thereof as may be necessary, for the

1 implementation of this act.

2           **SECTION 3. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly (August  
5 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a  
6 referendum petition is filed pursuant to section 1 (3) of article V of the  
7 state constitution against this act or an item, section, or part of this act  
8 within such period, then the act, item, section, or part will not take effect  
9 unless approved by the people at the general election to be held in  
10 November 2012 and, in such case, will take effect on the date of the  
11 official declaration of the vote thereon by the governor.