
SENATE BILL 5809

State of Washington

67th Legislature

2022 Regular Session

By Senator Brown

1 AN ACT Relating to increasing the state's investment in cancer
2 research to improve health outcomes and save lives; amending RCW
3 43.348.080; creating a new section; and making an appropriation.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** FINDINGS AND INTENT. (1) The legislature
6 finds the following:

7 (a) Cancer has been the leading cause of death in the state since
8 2004, according to the Washington state department of health. Cancer
9 killed nearly 13,000 citizens in 2019, and each year approximately
10 42,000 Washingtonians are diagnosed with cancer. The COVID-19
11 pandemic will exacerbate the state's cancer death rate due to the
12 pandemic's effect on patients and survivors suffering from delayed
13 screening and prevention efforts and limiting diagnosis and treatment
14 services.

15 (b) Washington has an existing infrastructure of world-class
16 cancer research and care centers for children and adults that can
17 develop and apply new techniques for the prevention of cancer and
18 care of cancer patients throughout Washington. Washington also is
19 home to some of the most innovative and influential technology and
20 life sciences companies.

1 (c) In 2015, the legislature created a cancer research endowment
2 fund that was later renamed the Andy Hill cancer research endowment
3 (CARE) fund to honor Senator Andy Hill, a champion of cancer
4 research, who battled lung cancer, and whose life was extended by
5 experimental treatments, but who ultimately succumbed to the disease
6 in 2016.

7 (d) The Andy Hill CARE fund aims to improve health outcomes by
8 advancing transformational research in the prevention and treatment
9 of cancer. The fund incentivizes additional investment by requiring
10 private or other nonstate resources to match state funding that
11 amounted to \$11,711,000 in 2020. The Andy Hill CARE fund generated
12 almost three nonstate dollars to every dollar the state invests in
13 the fund. The fund receives three times as many applications for
14 projects than it is able to provide grants which illustrates a need
15 for additional funding.

16 (e) Promoting the health of state residents is a fundamental
17 public purpose and governmental function. Action to promote cancer
18 research and prevention to improve the quality of life of the people
19 of Washington is consistent with this fundamental public purpose.

20 (2) It is the purpose of this act to provide additional sustained
21 investment in cancer research at the Andy Hill CARE fund to make the
22 program more robust. Increased investment in research is critical to
23 saving lives and reducing the pain and suffering caused by cancer.

24 **Sec. 2.** RCW 43.348.080 and 2019 c 445 s 403 are each amended to
25 read as follows:

26 (1) The Andy Hill cancer research endowment fund match transfer
27 account is created in the custody of the state treasury to be used
28 solely and exclusively for the program created in RCW 43.348.040.
29 Moneys in the account may be spent only after appropriation. The
30 purpose of the account is to provide matching funds (~~for the fund~~)
31 and support for the program and its administrative costs.
32 Expenditures to fund or reimburse the program administrator are not
33 subject to the requirements of subsection (4) of this section.

34 (2) The legislature must appropriate a state match, up to a
35 maximum of ten million dollars annually, beginning July 1, 2016, and
36 each July 1st following the end of the fiscal year from tax
37 collections and penalties generated from enforcement of state taxes
38 on cigarettes and other tobacco products by the state liquor and
39 cannabis board or other federal, state or local law or tax

1 enforcement agency, as determined by the department of revenue. Tax
2 collections include any cigarette tax, other tobacco product tax, and
3 retail sales and use tax. Any amounts deposited into this account
4 from the tax imposed under RCW 82.25.010 in excess of the cap
5 provided in this subsection must be deposited into the foundational
6 public health services account created in RCW 82.25.015.

7 (3) Revenues to the account must consist of deposits into the
8 account, taxes imposed on vapor products under RCW 82.25.010,
9 legislative appropriations, and any gifts, grants, or donations
10 received by the department for this purpose.

11 (4) Each fiscal biennium, the legislature must appropriate to the
12 department of commerce such amounts as estimated to be the balance of
13 the account to provide state matching funds and to make available for
14 expenditure the amount provided by subsection (7) of this section.

15 (5) Expenditures, in the form of matching funds, from the account
16 may be made only upon receipt of proof from the program administrator
17 of nonstate or private contributions to the fund for the program.
18 Expenditures, in the form of matching funds, may not exceed the total
19 amount of nonstate or private contributions.

20 (6) The department must enter into an appropriate agreement with
21 the program administrator to demonstrate exchange of consideration
22 for the matching funds.

23 (7) (a) On July 1, 2022, \$1,000,000,000 from the general fund is
24 appropriated to the Andy Hill cancer research endowment fund match
25 transfer account created in this section.

26 (b) The board may expend funds provided in this subsection over a
27 ten-year period, however, the board may approve more rapid
28 expenditure of the appropriation in (a) of this subsection if the
29 board determines it is a more effective method to meet the purposes
30 of this act. The board must develop a detailed expenditure plan for
31 this funding. Until the moneys have been exhausted, the board shall
32 update the legislature on a biennial basis to provide a detailed
33 description of current and anticipated research projects being funded
34 from the appropriation.

35 (c) The amounts provided by this subsection are not matching
36 funds, and are not subject to subsections (5) and (6) of this
37 section.

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