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**SENATE BILL 5809**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Brown, Braun, Conway, Dozier, Frockt, Honeyford, King, Warnick, and L. Wilson

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

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

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

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

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

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

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

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

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

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

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

(2) The legislature must appropriate a state match, up to a maximum of ten million dollars annually, beginning July 1, 2016, and each July 1st following the end of the fiscal year from tax collections and penalties generated from enforcement of state taxes on cigarettes and other tobacco products by the state liquor and cannabis board or other federal, state or local law or tax enforcement agency, as determined by the department of revenue. Tax collections include any cigarette tax, other tobacco product tax, and retail sales and use tax. Any amounts deposited into this account from the tax imposed under RCW 82.25.010 in excess of the cap provided in this subsection must be deposited into the foundational public health services account created in RCW 82.25.015.

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

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

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

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

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

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

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

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