

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 08-0980.01 Kristen Forrestal

HOUSE BILL 08-1372

HOUSE SPONSORSHIP

Primavera,

SENATE SPONSORSHIP

Hagedorn,

House Committees

Health and Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE VOLUNTARY DONATION OF UMBILICAL CORDS FOR**
102 **THE PURPOSE OF AIDING IN THE CURE OF LIFE-THREATENING**
103 **DISEASES THROUGH THE USE OF ADULT BLOOD STEM CELLS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Creates the adult stem cells cure fund (fund) in the state treasury. For income tax years commencing on or after January 1, 2008, but before January 1, 2011, requires a voluntary contribution designation line for the fund to appear on individual income tax return forms. Authorizes the department of public health and environment (department) to accept gifts, grants, and donations for transfer to the fund. Requires the department

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.

to set standards for hospitals for the donation and collection of umbilical cord blood for hospitals that choose to participate in umbilical cord donation. Encourages the department to facilitate umbilical cord donations and to promote public awareness of how to donate umbilical cords.

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

2 **SECTION 1.** Title 25, Colorado Revised Statutes, is amended BY
3 THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 38**

5 **Umbilical Cord Blood Collection and Awareness**

6 **25-38-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
7 BE CITED AS THE "COLORADO CURES ACT".

8 **25-38-102. Legislative declaration.** (1) THE GENERAL
9 ASSEMBLY HEREBY FINDS AND DETERMINES THAT:

10 (a) THE NATIONAL MARROW DONOR PROGRAM REPORTS THAT
11 RESEARCHERS ARE STUDYING UMBILICAL CORD BLOOD, ALSO KNOWN AS
12 CORD BLOOD, AS A SOURCE OF ADULT BLOOD STEM CELLS THAT CAN BE
13 USED TO TREAT LEUKEMIA, LYMPHOMA, AND OTHER LIFE-THREATENING
14 DISEASES;

15 (b) FOR MANY PATIENTS WITH A LIFE-THREATENING DISEASE, A
16 CORD BLOOD TRANSPLANT MAY BE THE BEST AND ONLY HOPE FOR A CURE;

17 (c) CORD BLOOD IS DESIRABLE FOR USE IN STEM CELL
18 TRANSPLANTS BECAUSE IT HAS A LARGE NUMBER OF ADULT BLOOD STEM
19 CELLS;

20 (d) BLOOD FROM EACH DONATED UMBILICAL CORD IS FROZEN AND
21 MADE AVAILABLE FOR TRANSPLANT, AND IF IT CANNOT BE USED FOR
22 TRANSPLANT, THE CORD BLOOD STEM CELLS MAY BE USED FOR RESEARCH;

23 (e) CORD BLOOD DONATIONS ARE URGENTLY NEEDED TO KEEP UP

1 WITH THE DEMAND FOR TRANSPLANTS AND RESEARCH; AND

2 (f) MANY WOMEN IN GOOD HEALTH MAY BE ELIGIBLE TO
3 VOLUNTARILY DONATE THEIR CHILDREN'S CORD BLOOD BUT ARE UNAWARE
4 OF ITS UNIQUE VALUE OR OF THE EXISTENCE OF DONATION PROGRAMS.

5 (2) THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY TO
6 CREATE THE ADULT STEM CELLS CURE FUND FOR THE PURPOSE OF
7 ADVANCING UMBILICAL CORD BLOOD COLLECTION FOR PUBLIC BLOOD
8 BANKS AND PROMOTING AWARENESS ACROSS THE STATE.

9 **25-38-103. Adult stem cells cure fund - creation.** (1) THERE IS
10 HEREBY CREATED IN THE STATE TREASURY THE ADULT STEM CELLS CURE
11 FUND, REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL
12 CONSIST OF GIFTS, GRANTS, AND DONATIONS TRANSFERRED TO THE FUND,
13 WHICH THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT IS
14 AUTHORIZED TO ACCEPT, AND ANY VOLUNTARY CONTRIBUTIONS TO THE
15 FUND PURSUANT TO PART 34 OF ARTICLE 22 OF TITLE 39, C.R.S.

16 (2) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
17 SHALL TRANSFER ANY GIFTS, GRANTS, AND DONATIONS TO THE FUND TO
18 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE FUND. ALL
19 INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN
20 THE FUND SHALL BE CREDITED TO THE FUND. ALL MONEYS REMAINING IN
21 THE FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND
22 AND SHALL NOT BE DEPOSITED INTO ANY OTHER FUND. THE MONEYS IN
23 THE FUND SHALL BE ANNUALLY APPROPRIATED BY THE GENERAL
24 ASSEMBLY TO THE DEPARTMENT FOR THE PURPOSES OF THIS ARTICLE.

25 **25-38-104. Standards for cord blood collection and donation**
26 **- administrative costs.** (1) THE DEPARTMENT OF PUBLIC HEALTH AND
27 ENVIRONMENT SHALL SET STANDARDS FOR HOSPITALS FOR THE

1 VOLUNTARY DONATION AND COLLECTION OF UMBILICAL CORD BLOOD FOR
2 HOSPITALS THAT VOLUNTEER TO PARTICIPATE IN UMBILICAL CORD
3 DONATION. THE DEPARTMENT IS ENCOURAGED TO TAKE PART IN EFFORTS
4 TO INCREASE THE NUMBER OF UMBILICAL CORD DONATIONS TO PUBLIC
5 BLOOD BANKS AND TO PROMOTE PUBLIC AWARENESS OF THE AVAILABILITY
6 OF UMBILICAL CORD DONATION AS AN OPTION FOR NEW MOTHERS.

7 (2) THE DEPARTMENT MAY USE UP TO FIVE PERCENT OF THE
8 MONEYS APPROPRIATED TO THE ADULT STEM CELLS CURE FUND, CREATED
9 IN SECTION 25-38-103, FOR ADMINISTRATIVE COSTS INCURRED IN THE
10 IMPLEMENTATION OF THIS ARTICLE. THE DEPARTMENT MAY USE UP TO
11 TWENTY-FIVE PERCENT OF THE MONEYS IN THE FUND FOR UMBILICAL CORD
12 COLLECTION AWARENESS. THE DEPARTMENT SHALL WORK WITH PUBLIC
13 CORD BLOOD BANKS AND SHALL USE THE REMAINING MONEYS IN THE FUND
14 FOR ACTIVITIES IN CONNECTION WITH UMBILICAL CORD BLOOD
15 COLLECTION FOR PUBLIC CORD BLOOD BANKS.

16 **SECTION 2.** Article 22 of title 39, Colorado Revised Statutes, is
17 amended BY THE ADDITION OF A NEW PART to read:

18 PART 34

19 ADULT STEM CELLS CURE FUND

20 VOLUNTARY CONTRIBUTION

21 **39-22-3401. Voluntary contribution designation - procedure.**

22 (1) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1,
23 2008, BUT BEFORE JANUARY 1, 2011, THE COLORADO STATE INDIVIDUAL
24 INCOME TAX RETURN FORM SHALL CONTAIN A LINE WHEREBY EACH
25 INDIVIDUAL TAXPAYER MAY DESIGNATE THE AMOUNT OF THE
26 CONTRIBUTION, IF ANY, THE INDIVIDUAL WISHES TO MAKE TO THE ADULT
27 STEM CELLS CURE FUND CREATED IN SECTION 25-38-103, C.R.S.

1 (2) THIS PART 34 SHALL TAKE EFFECT ON SEPTEMBER 1 OF THE
2 YEAR THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE
3 FILES A WRITTEN CERTIFICATION WITH THE REVISOR OF STATUTES THAT
4 THERE ARE NO MORE THAN FOURTEEN OTHER LINES ON THE COLORADO
5 STATE INDIVIDUAL INCOME TAX FORMS FOR VOLUNTARY CONTRIBUTIONS
6 FOR THE STATE INCOME TAX YEAR COMMENCING IN JANUARY OF SUCH
7 YEAR.

8 **39-22-3402. Contributions credited to the adult stem cells cure**
9 **fund - appropriation.** (1) THE DEPARTMENT OF REVENUE SHALL
10 DETERMINE ANNUALLY THE TOTAL AMOUNT DESIGNATED PURSUANT TO
11 SECTION 39-22-3401 AND SHALL REPORT THAT AMOUNT TO THE STATE
12 TREASURER AND TO THE GENERAL ASSEMBLY. THE STATE TREASURER
13 SHALL CREDIT THAT AMOUNT TO THE ADULT STEM CELLS CURE FUND.

14 (2) THE GENERAL ASSEMBLY SHALL APPROPRIATE ANNUALLY UP
15 TO FIVE PERCENT OF THE AMOUNT IN THE ADULT STEM CELLS CURE FUND
16 TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE
17 ADMINISTRATIVE COSTS INCURRED IN THE IMPLEMENTATION OF ARTICLE
18 38 OF TITLE 25, C.R.S.

19 (3) THE GENERAL ASSEMBLY SHALL APPROPRIATE FROM THE
20 ADULT STEM CELLS CURE FUND, TO THE DEPARTMENT OF REVENUE, THE
21 DEPARTMENT OF REVENUE'S COSTS OF IMPLEMENTING THIS PART 34.

22 **39-22-3403. Repeal.** THIS PART 34 IS REPEALED, EFFECTIVE
23 JANUARY 1, 2012, UNLESS THE VOLUNTARY CONTRIBUTION TO THE ADULT
24 STEM CELLS CURE FUND AS SPECIFIED IN SECTION 39-22-3401 IS
25 CONTINUED OR REESTABLISHED BY THE GENERAL ASSEMBLY, ACTING BY
26 BILL, PRIOR TO SAID DATE.

27 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.