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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

Read first time 01/11/22. Referred to Committee on Health & Long Term Care.

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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