

Assembly Bill No. 1205

CHAPTER 751

An act to amend Section 120480 of the Health and Safety Code, relating to disease prevention, and making an appropriation therefor.

[Approved by Governor October 11, 2001. Filed
with Secretary of State October 12, 2001.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1205, Ashburn. Valley fever.

Existing law establishes the Valley Fever Vaccine Project, administered by the State Department of Health Services, and provides for state support and funding of efforts by the project to conduct valley fever vaccine research.

This bill would appropriate \$500,000 from the General Fund to the department for the 2001–02 fiscal year, for purposes of extending the project.

Existing law authorizes the department to contract on a sole source basis with a nonprofit organization that has provided funding for vaccine research on valley fever and requires the organization to distribute research grants to support research efforts that are likely to advance the effort to develop a vaccine.

This bill would exempt these contracts from review by the Department of General Services.

This bill would incorporate additional changes in Section 120480 of the Health and Safety Code proposed by SB 1191, that would become operative only if SB 1191 and this bill are both chaptered and become effective on or before January 1, 2002, and this bill is chaptered last.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 120480 of the Health and Safety Code is amended to read:

120480. (a) Funds appropriated in the Budget Act of 1998, and any other appropriations, to the State Department of Health Services for the purpose of valley fever (coccidioidomycosis) vaccine research shall be used to continue and expand the current research effort being conducted by the Valley Fever Vaccine Project.

(b) The department shall augment and amend the existing contract to support research into the development of a vaccine to protect against



valley fever. The department may contract on a sole source basis with a nonprofit organization that has provided funding for vaccine research on valley fever. The contract shall require the organization to distribute research grants to support research efforts that are likely to advance the effort to develop a vaccine. This contract shall not be subject to review by the Department of General Services.

(c) The contractor shall establish an advisory group consisting of persons with relevant expertise in the fields of mycology and vaccine development and a representative from the department. The advisory group shall approve grants for those whose research is likely to advance the effort to develop a safe and effective vaccine. The contractor shall seek advice from the appropriate agencies in the National Institutes of Health and other federal agencies with experience in supporting vaccine research when reviewing the research of those receiving funds under this section. Funding awards shall be made so as to complement financial support provided by the federal government.

(d) The contractor shall provide the department with periodic status reports on the progress of the researchers receiving funds pursuant to this section. The department shall review progress reports from the contractor describing the research progress and plans for future funding and report to the Legislature during the annual review of the budget.

(e) The contract shall require that funding is provided on the condition that, if a valley fever vaccine is developed and successfully marketed, the state shall be reimbursed for the cost of grants made under this section in proportion to the state's contribution to the research and development effort.

SEC. 1.5. Section 120480 of the Health and Safety Code is amended to read:

120480. (a) Funds appropriated in the Budget Act of 1998, and any other appropriations, to the State Department of Health Services for the purpose of valley fever (coccidioidomycosis) vaccine research shall be used to continue and expand the current research effort being conducted by the Valley Fever Vaccine Project.

(b) The department shall augment and amend the existing contract to support research into the development of a vaccine to protect against valley fever. The department may contract on a sole source basis with a nonprofit organization that has provided funding for vaccine research on valley fever. The contract shall require the organization to distribute research grants to support research efforts that are likely to advance the effort to develop a vaccine. This contract shall not be subject to review by the Department of General Services.

(c) The contractor shall establish an advisory group consisting of persons with relevant expertise in the fields of mycology and vaccine



development and a representative from the department. The advisory group shall approve grants for those whose research is likely to advance the effort to develop a safe and effective vaccine. The contractor shall seek advice from the appropriate agencies in the National Institutes of Health and other federal agencies with experience in supporting vaccine research when reviewing the research of those receiving funds under this section. Funding awards shall be made so as to complement financial support provided by the federal government.

(d) The contractor shall provide the department with periodic status reports on the progress of the researchers receiving funds pursuant to this section. The department shall review progress reports from the contractor describing the research progress and plans for future funding.

(e) The contract shall require that funding is provided on the condition that, if a valley fever vaccine is developed and successfully marketed, the state shall be reimbursed for the cost of grants made under this section in proportion to the state's contribution to the research and development effort.

SEC. 2. The sum of five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the State Department of Health Services, for the 2001–02 fiscal year, for purposes of valley fever vaccine research pursuant to Section 120480 of the Health and Safety Code. Fifty thousand dollars (\$50,000) shall be allocated to the department in the 2001–02 fiscal year for purposes of costs associated with the administration of Section 120480 of the Health and Safety Code.

SEC. 3. Section 1.5 of this bill incorporates amendments to Section 120480 of the Health and Safety Code proposed by both this bill and SB 1191. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2002, (2) each bill amends Section 120480 of the Health and Safety Code, and (3) this bill is enacted after SB 1191, in which case Section 120480 of the Health and Safety Code, as amended by SB 1191, shall remain operative only until the operative date of this bill, at which time Section 1.5 of this bill shall become operative, and Section 1 of this bill shall not become operative.

