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Introduced by Senator Soto

February 18, 2003

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Senate Concurrent Resolution No. 11—Relative to HIV and AIDS drug treatment.

LEGISLATIVE COUNSEL'S DIGEST

SCR 11, as introduced, Soto. HIV and AIDS drug treatment: public pensions.

This measure would encourage the governing bodies of the public pension and retirement systems of this state, in their capacities as shareholders of pharmaceutical companies that develop HIV and AIDS drug treatments, to introduce a shareholder resolution to develop and implement a policy, in consultation with the appropriate United Nations agencies and independent nongovernmental organizations, to provide HIV and AIDS drug treatments in a manner that would make those treatments affordable to those infected in lesser developed countries.

Fiscal committee: no.

- 1 WHEREAS, 8,500 people die every day from acquired immune  
2 deficiency syndrome (AIDS) despite the existence of  
3 pharmaceutical treatments that have drastically reduced deaths in  
4 the United States and other developed nations; and  
5 WHEREAS, Human immunodeficiency virus (HIV) and AIDS  
6 is the leading killer in sub-Saharan Africa, home to only 10 percent  
7 of the world's population, but 70 percent of the world's HIV and  
8 AIDS cases; and  
9 WHEREAS, The United Nations reports that in 2001, alone,  
10 more than 2,400,000 people in Africa died of HIV and AIDS; and

1 WHEREAS, A recent study by Doctors Without Borders  
2 concluded that, in industrialized countries where HIV and AIDS  
3 patients receive drug therapy, AIDS-related mortality has  
4 decreased by more than 70 percent; and

5 WHEREAS, Unfortunately, these life-prolonging treatments  
6 remain largely out of reach for most of Africa's population due to  
7 the high prices of these drugs; and

8 WHEREAS, Certain pharmaceutical companies' reaction to the  
9 HIV and AIDS epidemic in developing countries has been  
10 insufficient and significant restrictions have been imposed on the  
11 donation and importation of critical drugs to HIV and AIDS  
12 patients in Africa and developing world nations; and

13 WHEREAS, For example, one pharmaceutical manufacturer  
14 attempted to impose time limits on the use of a particular  
15 life-extending drug, even though that drug must be used over a  
16 patient's entire lifetime; and

17 WHEREAS, These restrictions were unacceptable to the South  
18 African government, and the South African Medicines Control  
19 Council has recently given permission for the importation of a  
20 generic equivalent of the drug; and

21 WHEREAS, The public pension and retirement systems of this  
22 state have invested billions of dollars in the major manufacturers  
23 of HIV and AIDS drug treatments that can prolong the lives of  
24 individuals living with this disease; now, therefore, be it

25 *Resolved by the Senate of the State of California, the Assembly*  
26 *thereof concurring,* That the Legislature and the State of California  
27 encourages the governing bodies of the public pension and  
28 retirement systems of this state, in their capacities as shareholders  
29 of pharmaceutical companies that develop HIV and AIDS drug  
30 treatments, to introduce a shareholder resolution to develop and  
31 implement a policy, in consultation with the appropriate United  
32 Nations agencies and independent nongovernmental  
33 organizations, to provide HIV and AIDS drug treatments in a  
34 manner that would make those treatments affordable to the  
35 majority of those infected with HIV and AIDS in lesser developed  
36 countries; and be it further



1     *Resolved*, That the Secretary of the Senate transmit a copy of  
2 this resolution to each member of a retirement board, as described  
3 in Section 17 of Article XVI of the California Constitution.

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