

**Introduced by Senator Torlakson**

February 21, 2007

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An act to add Article 1.6 (commencing with Section 104165) to Chapter 2 of Part 1 of Division 103 of the Health and Safety Code, relating to lung cancer, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 458, as introduced, Torlakson. Lung cancer: early detection and awareness.

Existing law provides for various programs for the prevention and treatment of cancer.

This bill would require the department to establish a grant program to award grants to applicants for research in early lung cancer detection methods and lung cancer awareness programs. It would also establish the Lung Cancer Early Detection and Awareness Fund, the moneys in which, upon appropriation, would be used by the department for the grant program. The bill would also appropriate \$30,000,000 from the General Fund to the Lung Cancer Early Detection and Awareness Fund for expenditure during the 2008–09 fiscal year.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1 SECTION 1. The Legislature hereby finds and declares all of
- 2 the following:
- 3 (a) The American Lung Association estimates 351,344 people
- 4 are living with lung cancer, that half that number, 162,460 people,

1 will have died of lung cancer in 2006, and that 174,470 people  
2 will be diagnosed in 2007.

3 (b) Lung cancer is the number one killer of men and women in  
4 the United States.

5 (c) Lung cancer affects nonsmokers in addition to smokers.

6 (d) People diagnosed with lung cancer have a five-year survival  
7 rate of 15.5 percent, compared to a five-year survival rate of 64.8  
8 percent, 89 percent, and 99.9 percent for those with colon, breast,  
9 and prostate cancer, respectively.

10 (e) Studies show that lung cancer patients have a five-year  
11 survival rate of 49.5 percent when the cancer is detected early, in  
12 contrast to a five-year survival rate of 2 percent when the cancer  
13 is diagnosed in the later stages.

14 (f) Twenty-four percent of lung cancer patients are diagnosed  
15 in the early stages.

16 SEC. 2. Article 1.6 (commencing with Section 104165) is  
17 added to Chapter 2 of Part 1 of Division 103 of the Health and  
18 Safety Code, to read:

19  
20 Article 1.6. Lung Cancer Early Detection and Awareness Fund

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22 104165. The State Department of Public Health shall establish  
23 a grant program to award grants to applicants for research in early  
24 lung cancer detection methods and lung cancer awareness  
25 programs.

26 104165.1. (a) The Lung Cancer Early Detection and Awareness  
27 Fund is hereby established in the State Treasury, to be administered  
28 by the State Department of Public Health. The fund shall consist  
29 of all moneys appropriated to it by the Legislature and,  
30 notwithstanding Section 16305.7 of the Government Code, any  
31 interest earned on money in the fund.

32 (b) Moneys in the fund shall be subject to appropriation by the  
33 Legislature, and shall be used to fund the grant program established  
34 pursuant to Section 104165.

35 SEC. 3. There is hereby appropriated the sum of thirty million  
36 dollars (\$30,000,000) from the General Fund to the Lung Cancer  
37 Early Detection and Awareness Fund, for expenditure by the State  
38 Department of Public Health during the 2008–09 fiscal year for  
39 the grant program established pursuant to Article 1.6 (commencing

1 with Section 104165) of Chapter 2 of Part 1 of Division 103 of  
2 the Health and Safety Code.

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