

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 750

Introduced by Assembly Member Dutra

February 24, 1999

An act to add Chapter 2 (commencing with Section 104335) to Part 2 of Division 103 of the Health and Safety Code, and to add Section 1463.15 to the Penal Code, relating to spinal cord injury, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 750, as amended, Dutra. Spinal cord injury.

Existing law establishes various health research grant programs.

This bill would establish the Spinal Cord Injury Research Fund for the award of grants to conduct basic neurological research into the cure for spinal cord injuries and their effects. This bill would continuously appropriate the fund to the State Department of Health Services to administer the grants.

Under existing law, fines, penalties, and forfeitures are imposed by the courts for violations of traffic laws, and are deposited with the county treasurer for distribution in accordance with certain procedures.

This bill would require an additional penalty in the amount of \$15 to be levied upon every fine, penalty, or forfeiture imposed and collected for violations of certain traffic laws. This bill would require that those amounts be deposited with the county treasurer and distributed each month in

accordance with existing procedures for transfer to the Spinal Cord Injury Research Fund.

By imposing new duties upon local courts and county treasurers, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

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

- 1 SECTION 1. *The Legislature finds and declares all of*
- 2 *the following:*
- 3 (a) (1) *There are approximately 35,000 spinal cord*
- 4 *injured persons residing in this state. Spinal cord injury is*
- 5 *a condition that leaves individuals paralyzed and afflicts*
- 6 *250,000 Americans.*
- 7 (2) *The care of the 17,000 chronic spinal cord injured*
- 8 *quadriplegics alone costs the State of California*
- 9 *\$340,000,000 annually.*
- 10 (3) *Spinal cord injury has serious physical, emotional,*
- 11 *financial, and social consequences for its victims and their*
- 12 *families.*
- 13 (4) *There is no established treatment that can cure*
- 14 *spinal cord injury.*
- 15 (5) *If cures are found for spinal cord injuries the*
- 16 *incidence of quadriplegia will be greatly reduced.*
- 17 (6) *Cures for spinal cord injuries are on the threshold*
- 18 *of being discovered.*



1 (b) (1) Research is the primary hope for victims and
2 their families.

3 (2) Research in spinal cord injury has produced
4 experimental results that are of potential value in
5 facilitating or effecting a restoration of function in
6 damaged spinal cords.

7 (c) Despite the need to make progress toward
8 treatments or cures for spinal cord injury, there is a lack
9 of sufficient resources in California's postsecondary
10 educational institutions to sustain recent scientific
11 progress with respect to this condition. It is the intent of
12 the Legislature to encourage and support research that
13 has as one of its goals the discovery of methods to restore
14 spinal cord function in humans with spinal cord injury.

15 (d) (1) The care and rehabilitation of acute, or newly
16 injured, spinal cord injury victims cost the State of
17 California \$60,000,000 annually.

18 (2) Experimental treatments or techniques are
19 currently under investigation, and these treatments may
20 be of potential value in facilitating or effecting a
21 restoration of function in damaged spinal cords if applied
22 to humans within the first few hours after injury.

23 (3) Progress has been made in chronic spinal cord
24 injury research including the discovery of molecules that
25 promote the growth of chronically injured spinal cord
26 cells involved in movement and sensation. Genes that
27 control regeneration of chronically damaged spinal
28 nerves and chemicals for activating those genes have
29 been discovered. Substances that inhibit growth in the
30 spinal cord have been discovered and antibodies to those
31 inhibitors have been developed. These discoveries may
32 pave the way for significant regeneration of the spinal
33 cord.

34 SEC. 2. Chapter 2 (commencing with Section 104335)
35 is added to Part 2 of Division 103 of the Health and Safety
36 Code, to read:

37



CHAPTER 2. ~~SPINAL CORD INJURY~~ ROMAN REED SPINAL
CORD INJURY RESEARCH ACT OF 1999

104335. *This chapter shall be known and may be cited as the Roman Reed Spinal Cord Injury Research Act of 1999.*

104336. (a) There is hereby established a Spinal Cord Injury Research Fund. Notwithstanding Section 13340 of the Government Code, the fund is continuously appropriated to the State Department of Health Services for the purposes of this chapter.

~~104336. The Spinal Cord Injury Research Fund may~~
(b) *The fund shall consist of money accepted by the department from grants and donations from private entities as well as public moneys transferred to the fund.*

(c) *Notwithstanding any other provision of law, money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.*

104337. *The fund established pursuant to Section 104336 may be expended by the department for the award of grants to perform spinal cord injury research projects.*

~~104338. The State Department of Health Services shall administer a grant program to establish and promote basic neurological research into the cure for spinal cord injuries and their effects.~~

~~SEC. 2.—~~

104338. (a) *There is hereby created within the department the Spinal Cord Injury Research Program.*

(b) *The program shall promote spinal cord injury research in California as described in Section 104337.*

(c) *The department shall establish scientific guidelines and rules and regulations as necessary for implementation of this chapter.*

SEC. 3. Section 1463.15 is added to the Penal Code, to read:

1463.15. There shall be levied an additional penalty in an amount equal to fifteen dollars (\$15) upon every fine, penalty, or forfeiture imposed and collected by any court on all offenses involving a violation of any provision of



1 Division 11 (commencing with Section 21000) of the
2 Vehicle Code, or a violation of any local ordinance
3 adopted pursuant to the Vehicle Code, except offenses
4 relating to parking. Penalties imposed and collected
5 pursuant to this section shall be deposited with the county
6 treasurer and distributed each month in accordance with
7 Section 1463.001 for transfer to the Spinal Cord Injury
8 Research Fund created pursuant to Section 104335 of the
9 Health and Safety Code.

10 ~~SEC. 3.~~

11 *SEC. 4.* Notwithstanding Section 17610 of the
12 Government Code, if the Commission on State Mandates
13 determines that this act contains costs mandated by the
14 state, reimbursement to local agencies and school
15 districts for those costs shall be made pursuant to Part 7
16 (commencing with Section 17500) of Division 4 of Title
17 2 of the Government Code. If the statewide cost of the
18 claim for reimbursement does not exceed one million
19 dollars (\$1,000,000), reimbursement shall be made from
20 the State Mandates Claims Fund.

