

Amend **CSSB 1** by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Subchapter G, Chapter 403, Government Code, is amended by adding Section 403.110 to read as follows:

Sec. 403.110. PINK FOR EVER FUND. (a) The Pink for Ever fund is a special fund in the state treasury outside the general revenue fund.

(b) The fund is composed of:

(1) gifts and grants contributed to the fund;  
(2) earnings on the principal of the fund; and  
(3) other amounts deposited to the credit of the fund,  
including:

(A) legislative appropriations; and

(B) money deposited under Section 466.355.

(c) Except as provided by Subsection (d), money in the fund may not be appropriated for any purpose other than to fund the Pink for Ever grant program established by Subchapter D, Chapter 86, Health and Safety Code.

(d) A gift or grant to the fund may be appropriated in the same manner as money in the fund derived from other sources, subject to any limitation or requirement placed on the gift or grant by the donor or granting entity.

(e) Sections 403.095 and 404.071 do not apply to the fund.

(b) Subchapter B, Chapter 466, Government Code, is amended by adding Section 466.028 to read as follows:

Sec. 466.028. PINK FOR EVER GAME. (a) The commission shall operate an instant-ticket lottery game to benefit the Pink for Ever fund established by Section 403.110.

(b) The commission shall:

(1) determine the ticket price, payout amounts for prizes, and manner in which the game is conducted;

(2) make tickets to the game available for sale continuously to the extent practicable; and

(3) change the design or theme of the game regularly to ensure that the game remains competitive with other instant-ticket lottery games offered by the commission.

(c) The commission shall market and advertise the lottery game operated under this section in a manner intended to inform the public that the game tickets are available for purchase and that the game proceeds are used to fund breast cancer research, education, and patient treatment and support. The Department of State Health Services may make recommendations to the commission relating to the marketing and advertising of the game.

(d) The commission may use not more than two percent of the gross revenue accruing from the sale of tickets for the lottery game operated under this section for the purposes of Subsection (c).

(e) The commission shall encourage each sales agent that sells tickets to instant-ticket games or similar types of lottery games to sell tickets to the game operated under this section.

(c) Section 466.355(b), Government Code, is amended to read as follows:

(b) Money in the state lottery account may be used only for the following purposes and shall be distributed as follows:

(1) the payment of prizes to the holders of winning tickets;

(2) the payment of costs incurred in the operation and administration of the lottery, including any fees received by a lottery operator, provided that the costs incurred in a fiscal biennium may not exceed an amount equal to 12 percent of the gross revenue accruing from the sale of tickets in that biennium;

(3) the establishment of a pooled bond fund, lottery prize reserve fund, unclaimed prize fund, and prize payment account; and

(4) the balance, after creation of a reserve sufficient to pay the amounts needed or estimated to be needed under Subdivisions (1) through (3), to be transferred on or before the 15th day of each month as follows:

(A) the portion of the balance attributable to the lottery game operated under Section 466.027 to the fund for veterans' assistance established by Section 434.017; ~~and~~

(B) the portion of the balance attributable to the lottery game operated under Section 466.028 to the Pink for Ever fund established by Section 403.110; and

(C) the remainder to the foundation school fund.

(d) Chapter 86, Health and Safety Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PINK FOR EVER GRANT PROGRAM

Sec. 86.151. DEFINITION. In this subchapter, "department" means the Department of State Health Services.

Sec. 86.152. PINK FOR EVER GRANT PROGRAM. The department shall develop and administer a program to award grants to public and nonprofit organizations that:

(1) provide treatment and support services for breast cancer patients;

(2) increase public awareness of breast cancer; or

(3) conduct breast cancer research.

Sec. 86.153. RULES. The executive commissioner of the Health and Human Services Commission shall adopt rules governing the operation of the grant program and selection of grant recipients, subject to the requirements of this subchapter.

Sec. 86.154. ELIGIBILITY. The department shall establish eligibility guidelines for the grants awarded under this subchapter.

Sec. 86.155. APPLICATIONS. (a) The department shall establish application procedures for the grants awarded under this subchapter.

(b) An applicant for a grant under this subchapter shall submit to the department for approval:

(1) a description of the objectives established by the applicant for the activities funded by the grant;

(2) a description of the methods the applicant will use to evaluate the activities funded by the grant to determine if the objectives are met; and

(3) any other information requested by the department.

Sec. 86.156. FUNDING. (a) The department shall award grants under this subchapter from the Pink for Ever fund established under Section 403.110, Government Code.

(b) The department may solicit and accept gifts and grants from any public or private source for the purposes of this subchapter. Money accepted by the department under this subsection

must be deposited in the Pink for Ever fund.

Sec. 86.157. ADVISORY COMMITTEE. The department may appoint an advisory committee to assist in the evaluation of applications for grants under this subchapter.

(e)(1) Section 466.355, Government Code, as amended by this section, applies only to a transfer from the state lottery account made on or after the effective date of this section.

(2) The Texas Lottery Commission shall establish and begin selling tickets to the lottery game as required by Section 466.028, Government Code, as added by this section, not later than March 1, 2014.

(3) Not later than March 1, 2014, the executive commissioner of the Health and Human Services Commission shall adopt necessary rules for, and the Department of State Health Services shall establish and implement, the grant program required under Subchapter D, Chapter 86, Health and Safety Code, as added by this section.

(f) This section takes effect September 1, 2013.