

1 SB338  
2 138119-3  
3 By Senator Keahey  
4 RFD: Judiciary  
5 First Read: 16-FEB-12

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 To create the Spinal Cord and Injury Research  
12 Program; to administer and award funds for spinal cord injury  
13 research; and to provide funding for the program by imposing  
14 additional fees for certain traffic offenses.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. This act shall be known and may be cited  
17 as the TJ Atchison Spinal Cord Injury Research Act.

18 Section 2. (a) The Legislature finds and declares  
19 all of the following:

20 (1) Spinal cord injury is a condition that leaves  
21 individuals paralyzed and afflicts 250,000 Americans.

22 (2) In Alabama, approximately 4,708 people are  
23 living with a spinal cord injury and approximately 235 new  
24 spinal cord injury cases occur every year.

25 (3) Spinal cord injury has serious physical,  
26 emotional, financial, and social consequences for its victims  
27 and their families.

1           (4) In Alabama, the cost of care for spinal cord  
2 injuries is approximately five hundred fifteen million dollars  
3 (\$515,000,000) per year and the cost to Alabama in Medicaid  
4 and indigent care is approximately one hundred forty-three  
5 million dollars (\$143,000,000) per year.

6           (5) There is no established treatment that can cure  
7 spinal cord injury.

8           (6) If cures are found for spinal cord injuries the  
9 incidence of quadriplegia will be greatly reduced.

10          (7) Cures for spinal cord injuries are on the  
11 threshold of being discovered.

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

14          (2) Research in spinal cord injury has produced  
15 experimental results that are of potential value in  
16 facilitating or effecting a restoration of function in damaged  
17 spinal cords.

18          (c) Despite the need to make progress toward  
19 treatments or cures for spinal cord injury, there is a lack of  
20 sufficient resources in Alabama's postsecondary educational  
21 institutions to sustain recent scientific progress with  
22 respect to this condition. It is the intent of the Legislature  
23 to encourage and support research that has as one of its goals  
24 the discovery of methods to restore spinal cord function in  
25 humans with spinal cord injury.

26          Section 3. (a) There is established the Spinal Cord  
27 Injury Research Fund. All receipts and monies collected under

1 this act shall be deposited in the fund and appropriated to  
2 The University of Alabama at Birmingham for the purposes of  
3 this act.

4 (b) The fund shall consist of money generated from  
5 certain traffic violations collected by municipal, district,  
6 and circuit courts as provided in Section 5. In addition, the  
7 fund may consist of private donations from any source,  
8 including federal, state, and other public and private grants.

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

12 (d) The fund established pursuant to this act shall  
13 be expended by The University of Alabama at Birmingham for the  
14 award of grants to perform spinal cord injury research  
15 projects.

16 (e) Monies from the funds established pursuant to  
17 this act shall be prohibited from being expended for purposes  
18 involving human embryonic stem cells.

19 Section 4. (a) There is created within The  
20 University of Alabama at Birmingham the Spinal Cord Injury  
21 Research Program, hereafter referred to as the program.

22 (b) (1) The program shall be administered by the  
23 research director within the Department of Physical Medicine  
24 and Rehabilitation at The University of Alabama at Birmingham.

25 (2) The program shall be administered according to  
26 the guidelines of The University of Alabama at Birmingham's  
27 Spinal Cord Injury Model System.

1 (c) The program shall promote spinal cord research  
2 in Alabama with a focus on discovering a cure for spinal cord  
3 injuries.

4 (d) The University of Alabama at Birmingham may  
5 establish scientific guidelines and rules necessary for the  
6 implementation of this act.

7 Section 5. (a) The following additional fees shall  
8 be assessed for the traffic offenses listed in this section,  
9 in addition to all fines, fees, costs, and punishments  
10 prescribed by law. The additional fees shall be assessed in  
11 all criminal and quasi-criminal proceedings in municipal,  
12 district, and circuit courts, including, but not limited to,  
13 final bond forfeitures, municipal ordinance violations,  
14 wherein the defendant is adjudged guilty or pleads guilty and  
15 in all juvenile delinquency and youthful offender  
16 adjudications. If the additional fee is not imposed by the  
17 court, the clerk of the court shall automatically assess it  
18 upon conviction. The monies generated from the following fees  
19 shall be forwarded to the State Comptroller to be deposited in  
20 the Spinal Cord Injury Research Fund:

21 (1) Ten dollars (\$10) for a driving under the  
22 influence conviction.

23 (2) Five dollars (\$5) for an aggravated moving  
24 traffic violation.

25 (3) One dollar (\$1) for all other moving traffic  
26 violations.

1 (b) As used in this section, aggravated moving  
2 traffic violations shall include the following:

3 (1) Reckless driving.

4 (2) Reckless endangerment involving operating a  
5 motor vehicle.

6 (3) Failure to yield the right-of-way.

7 (4) Passing a stopped school bus.

8 (5) Speeding 26 miles per hour or more over speed  
9 limit.

10 (6) Driving on the wrong side of the road.

11 (7) Illegal passing.

12 Section 6. This act shall remain in effect until  
13 January 1, 2017, unless prior to that date it is extended by  
14 Legislative Act.

15 Section 7. This act shall become effective on the  
16 first day of the third month following its passage and  
17 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Judiciary..... 16-FEB-12

Read for the second time and placed on the calen-  
dar with 1 substitute and..... 01-MAR-12

Read for the third time and passed as amended .... 22-MAR-12

Yeas 24  
Nays 1

Patrick Harris  
Secretary