

# Senate File 2119 - Introduced

SENATE FILE \_\_\_\_\_  
BY JOHNSON \_\_\_\_\_

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing for the prohibition of human cloning, providing  
2 penalties, and providing for a repeal.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 5579SS 82  
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1 1 Section 1. NEW SECTION. 707B.1 TITLE.  
1 2 This chapter shall be known and may be cited as the "Human  
1 3 Cloning Prohibition Act".  
1 4 Sec. 2. NEW SECTION. 707B.2 PURPOSE.  
1 5 It is the purpose of this chapter to prohibit human cloning  
1 6 for any purpose, whether for reproductive cloning or  
1 7 therapeutic cloning.  
1 8 Sec. 3. NEW SECTION. 707B.3 DEFINITIONS.  
1 9 As used in this chapter, unless the context otherwise  
1 10 requires:  
1 11 1. "Fetus" means a living organism of the species homo  
1 12 sapiens from eight weeks' development until complete expulsion  
1 13 or extraction from a woman's body, or until removal from an  
1 14 artificial womb or other similar environment designed to  
1 15 nurture the development of such organism.  
1 16 2. "Human cloning" means human asexual reproduction,  
1 17 accomplished by introducing the genetic material of a human  
1 18 somatic cell into a fertilized or unfertilized oocyte whose  
1 19 nucleus has been or will be removed or inactivated, to produce  
1 20 a living organism with a human or predominantly human genetic  
1 21 constitution.  
1 22 3. "Human embryo" means a living organism of the species  
1 23 homo sapiens from the single-celled stage to eight weeks'  
1 24 development.  
1 25 4. "Human somatic cell" means a cell having a complete set  
1 26 of chromosomes obtained from a living or deceased human  
1 27 organism of the species homo sapiens at any stage of  
1 28 development.  
1 29 5. "Oocyte" means a human ovum.  
1 30 Sec. 4. NEW SECTION. 707B.4 HUMAN CLONING ==  
1 31 PROHIBITIONS == EXCEPTIONS == PENALTY.  
1 32 1. A person shall not intentionally or knowingly do any of  
1 33 the following:  
1 34 a. Perform or attempt to perform human cloning.  
1 35 b. Participate in performing or in an attempt to perform  
2 1 human cloning.  
2 2 c. Transfer or receive a cloned human embryo for any  
2 3 purpose.  
2 4 d. Transfer or receive, in whole or in part, any oocyte,  
2 5 human embryo, fetus, or human somatic cell, for the purpose of  
2 6 human cloning.  
2 7 2. This section shall not restrict areas of scientific  
2 8 research not specifically prohibited, including in vitro  
2 9 fertilization; the administration of fertility-enhancing  
2 10 drugs; or research in the use of nuclear transfer or other  
2 11 cloning techniques to produce molecules, deoxyribonucleic  
2 12 acid, tissues, organs, plants, animals other than humans, or  
2 13 cells other than human embryos.  
2 14 3. a. A person who violates subsection 1, paragraph "a"  
2 15 or "b", is guilty of a class "C" felony.  
2 16 b. A person who violates subsection 1, paragraph "c" or  
2 17 "d", is guilty of an aggravated misdemeanor.  
2 18 4. A person who violates this section in a manner that  
2 19 results in a pecuniary gain to the person is subject to a  
2 20 civil penalty in an amount that is twice the amount of the

2 21 gross gain.  
2 22 5. A person who violates this section and who is licensed  
2 23 pursuant to chapter 148, 150, or 150A is subject to revocation  
2 24 of the person's license.

2 25 6. A violation of this section is grounds for denial of an  
2 26 application for, denial of renewal of, or revocation of any  
2 27 license, permit, certification, or any other form of  
2 28 permission required to practice or engage in any trade,  
2 29 occupation, or profession regulated by the state.

2 30 Sec. 5. Chapter 707C, Code Supplement 2007, is repealed.

2 31 EXPLANATION

2 32 This bill relates to the use of products of human  
2 33 reproduction for the purposes of human cloning and is the same  
2 34 as former Code chapter 707B, which was repealed in 2007 Iowa  
2 35 Acts, chapter 6.

3 1 The bill defines terms used in the bill. The bill  
3 2 prohibits a person from knowingly or intentionally:  
3 3 performing or attempt to perform human cloning; participating  
3 4 in performing or in an attempt to perform human cloning;  
3 5 transferring or receiving a cloned human embryo for any  
3 6 purpose; or transferring or receiving, in whole or in part,  
3 7 any oocyte, human embryo, fetus, or human somatic cell, for  
3 8 the purpose of human cloning.

3 9 The bill provides that it is not the intent of the bill to  
3 10 restrict areas of scientific research not specifically  
3 11 prohibited, including in vitro fertilization; the  
3 12 administration of fertility-enhancing drugs; or research in  
3 13 the use of nuclear transfer or other cloning techniques to  
3 14 produce molecules, deoxyribonucleic acid, tissues, organs,  
3 15 plants, animals other than humans, or cells other than human  
3 16 embryos.

3 17 Under the bill, a person who performs or attempts to  
3 18 perform human cloning or who participates in performing or in  
3 19 an attempt to perform human cloning is guilty of a class "C"  
3 20 felony. A class "C" felony is punishable by confinement for  
3 21 no more than 10 years and a fine of at least \$1,000 but not  
3 22 more than \$10,000. A person who transfers or receives a  
3 23 cloned human embryo for any purpose or who transfers or  
3 24 receives, in whole or in part, any oocyte, human embryo,  
3 25 fetus, or human somatic cell, for the purpose of human cloning  
3 26 is guilty of an aggravated misdemeanor. An aggravated  
3 27 misdemeanor is punishable by confinement for no more than two  
3 28 years and a fine of at least \$625 but not more than \$6,250.

3 29 Additionally, a person who violates the provisions of the bill  
3 30 in a manner that results in a pecuniary gain to the person is  
3 31 subject to a civil penalty in an amount that is twice the  
3 32 amount of the gross gain. A person who violates the  
3 33 provisions of the bill who is licensed in the practice of  
3 34 medicine and surgery, osteopathy, or osteopathic medicine and  
3 35 surgery is subject to revocation of the person's license. A  
4 1 violation of the bill is also grounds for denial of an  
4 2 application for, denial of renewal of, or revocation of any  
4 3 license, permit, certification, or any other form of  
4 4 permission required to practice or engage in any trade,  
4 5 occupation, or profession regulated by the state.

4 6 The bill repeals Code chapter 707C, relating to human stem  
4 7 cell research and cloning.

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