

House File 2232 - Introduced

HOUSE FILE _____
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Passed House, Date _____ Passed Senate, 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 5579YH 82
5 pf/rj/24

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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 attempting to perform human cloning;
3 4 participating in performing or attempting to perform human
3 5 cloning; transferring or receiving a cloned human embryo for
3 6 any purpose; or transferring or receiving, in whole or in
3 7 part, any oocyte, human embryo, fetus, or human somatic cell,
3 8 for 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, human stem cell
4 7 research and cloning.

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4 9 pf/rj/24.1