

Senate File 2114 - Introduced

SENATE FILE 2114

BY JOHNSON

A BILL FOR

1 An Act prohibiting all human cloning and providing penalties.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 707B.1 Title.

2 This chapter shall be known and may be cited as the "*Human*
3 *Cloning Prohibition Act*".

4 Sec. 2. NEW SECTION. 707B.2 Purpose.

5 It is the purpose of this chapter to prohibit human
6 cloning for any purpose, whether for reproductive cloning or
7 therapeutic cloning.

8 Sec. 3. NEW SECTION. 707B.3 Definitions.

9 As used in this chapter, unless the context otherwise
10 requires:

11 1. "*Fetus*" means a living organism of the species homo
12 sapiens from eight weeks' development until complete expulsion
13 or extraction from a woman's body.

14 2. "*Human cloning*" means human asexual reproduction,
15 accomplished by introducing the genetic material of a human
16 somatic cell into a fertilized or unfertilized oocyte whose
17 nucleus has been or will be removed or inactivated, to produce
18 a living organism with a human or predominantly human genetic
19 constitution.

20 3. "*Human embryo*" means a living organism of the species
21 homo sapiens from the single-celled stage to eight weeks'
22 development.

23 4. "*Human somatic cell*" means a diploid cell having a
24 complete set of chromosomes obtained or derived from a living
25 or deceased human body at any stage of development.

26 5. "*Oocyte*" means a human ovum.

27 Sec. 4. NEW SECTION. 707B.4 Human cloning — prohibitions
28 — exceptions — penalties.

29 1. A person shall not intentionally or knowingly do any of
30 the following:

31 a. Perform or attempt to perform human cloning.

32 b. Participate in performing or in an attempt to perform
33 human cloning.

34 c. Transfer or receive a cloned human embryo for any
35 purpose.

1 *d.* Transfer or receive, in whole or in part, any oocyte,
2 human embryo, fetus, or human somatic cell, for the purpose of
3 human cloning.

4 2. This section shall not restrict the use of in vitro
5 fertilization; the administration of fertility-enhancing
6 drugs; research in the use of nuclear transfer or other
7 cloning techniques to produce molecules, deoxyribonucleic acid,
8 tissues, organs, plants, animals other than humans, or cells
9 other than human embryos; or other scientific research not
10 specifically prohibited.

11 3. *a.* A person who violates subsection 1, paragraph "a" or
12 "b", is guilty of a class "C" felony.

13 *b.* A person who violates subsection 1, paragraph "c" or "d",
14 is guilty of an aggravated misdemeanor.

15 4. A person who violates this section in a manner that
16 results in a pecuniary gain to the person is subject to a civil
17 penalty in an amount that is twice the amount of the gross
18 pecuniary gain.

19 5. A person who violates this section and who is licensed
20 pursuant to chapter 148 is subject to revocation of the
21 person's license.

22 Sec. 5. REPEAL. Chapter 707C, Code 2016, is repealed.

23

EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill prohibits all human cloning, whether for
27 reproductive or therapeutic purposes. The bill defines
28 "fetus", "human cloning", "human embryo", "human somatic cell",
29 and "oocyte".

30 The bill prohibits a person from knowingly or intentionally:
31 (1) performing or attempting to perform human cloning, (2)
32 participating in performing or attempting to perform human
33 cloning, (3) transferring or receiving a cloned human embryo
34 for any purpose, or (4) transferring or receiving, in whole
35 or in part, any oocyte, human embryo, fetus, or human somatic

1 cell, for the purpose of human cloning.

2 The bill provides that the prohibitions of the bill are
3 not to restrict the use of in vitro fertilization; the
4 administration of fertility-enhancing drugs; research in the
5 use of nuclear transfer or other cloning techniques to produce
6 molecules, deoxyribonucleic acid, tissues, organs, plants,
7 animals other than humans, or cells other than human embryos;
8 or other scientific research not specifically prohibited.

9 A person who violates the bill by performing or attempting to
10 perform human cloning or by participating in the performance
11 or attempt to perform human cloning, is guilty of a class "C"
12 felony.

13 A person who violates the bill by transferring or receiving
14 a cloned human embryo for any purpose or by transferring or
15 receiving, in whole or in part, any oocyte, human embryo,
16 fetus, or human somatic cell, for the purpose of human cloning,
17 is guilty of an aggravated misdemeanor.

18 A person who violates the bill in a manner that results in a
19 pecuniary gain to the person is subject to a civil penalty in
20 an amount that is twice the amount of the gross pecuniary gain.

21 A person who violates the bill and is licensed pursuant to
22 Code chapter 148 (medicine and surgery and osteopathic medicine
23 and surgery) is subject to revocation of the person's license.

24 The bill repeals Code chapter 707C which prohibits human
25 reproductive cloning but not therapeutic cloning.