

SECOND REGULAR SESSION

HOUSE BILL NO. 1799

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROORDA (Sponsor), MEADOWS,
HARRIS (110) AND DARROUGH (Co-sponsors).

Read 1st time February 16, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4685L.01I

AN ACT

To amend chapter 565, RSMo, by adding thereto one new section relating to human cloning,
with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 565, RSMo, is amended by adding thereto one new section, to be
2 known as section 565.305, to read as follows:

- 565.305. 1. As used in this section, the following words and phrases shall mean:**
- 2 **(1) "Clone a human being" or "cloning a human being", the creation of a human**
3 **being by any means other than by the fertilization of an oocyte of a human female by a**
4 **sperm of a human male;**
- 5 **(2) "Cloned human being", an individual created by human cloning;**
- 6 **(3) "Public employee", any person employed by the state of Missouri or any agency**
7 **or political subdivision thereof;**
- 8 **(4) "Public facilities", any public institution, public facility, public equipment, or**
9 **any physical asset owned, leased, or controlled by the state of Missouri or any agency or**
10 **political subdivision thereof;**
- 11 **(5) "Public funds", any funds received or controlled by the state of Missouri or any**
12 **agency or political subdivision thereof, including, but not limited to, funds derived from**
13 **federal, state, or local taxes, gifts or grants from any source, public or private, federal**
14 **grants or payments, or intergovernmental transfers;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (6) "Somatic cell nuclear transfer", transferring the nuclear material of a human
16 somatic cell into an egg cell from which the nuclear material has been removed or rendered
17 inert.

18 2. There is hereby established the "Human Cloning and Somatic Cell Nuclear
19 Transfer Technology Commission", which shall investigate and report to the governor and
20 general assembly on the medical, scientific, ethical, and legal consequences of human
21 cloning and somatic cell nuclear transfer research and therapy. The commission shall be
22 comprised of the following members:

23 (1) Six members of the public, appointed by the governor, who have the expertise
24 and experience relevant to the purpose of the commission; and

25 (2) Two members of the senate, with one member appointed by the president pro
26 tem of the senate and one member appointed by the minority floor leader of the senate; and

27 (3) Two members of the house of representatives, with one member appointed by
28 the speaker of the house of representatives and one member appointed by the minority
29 floor leader of the house of representatives.

30

31 The commission shall issue a final report to the governor and general assembly within one
32 year of the establishment of the commission.

33 3. Until the commission issues its final report under subsection 2 of this section and
34 state laws are enacted governing the practice of human cloning and somatic cell nuclear
35 transfer technology:

36 (1) No person shall knowingly:

37 (a) Clone a human being, participate in cloning a human being, or attempt to clone
38 a human being; or

39 (b) Use public funds or public facilities to clone a human being or to attempt to
40 clone a human being;

41 (c) Utilize in any manner somatic cell nuclear transfer technology;

42 (2) No public employee shall knowingly allow any person to clone a human being
43 or to attempt to clone a human being, or utilize somatic cell nuclear transfer technology
44 while the person is making use of public funds or public facilities.

45 4. Any person who violates the provisions of subsection 3 of this section is guilty of
46 a class B felony.

47 5. The laws of this state shall be interpreted and construed to acknowledge on
48 behalf of a cloned human being at every stage of development, all the rights, privileges, and
49 immunities available to other persons, citizens, and residents of this state, subject only to
50 the Constitution of the United States and decisional interpretations thereof by the United

51 States Supreme Court and specific provisions to the contrary in the statutes and
52 constitution of this state.

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