

SECOND REGULAR SESSION

HOUSE BILL NO. 2087

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HARRIS (110).

Read 1st time March 29, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5692L.01I

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to the procurement of human oocytes by coercion, payment, or valuable consideration, with a penalty provision.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be known as section 191.1100, to read as follows:

- 2 **191.1100. 1. No person shall knowingly procure or attempt to procure a human**
3 **oocyte or oocytes through coercion or by offering or providing payment or other valuable**
4 **consideration to any person, whether or not the oocyte or oocytes are produced or**
5 **extracted in this state.**
6 **2. Any person proposing to use a human oocyte or oocytes for research, treatment,**
7 **or therapy shall have the duty to inquire regarding the circumstances in connection with**
8 **the production or extraction of such oocyte or oocytes. No person shall, with criminal**
9 **negligence, use a human oocyte or oocytes for research, treatment, or therapy that is**
10 **procured through coercion or by providing payment or other valuable consideration to any**
11 **person whether or not procured in this state.**
12 **3. As used in this section:**
 (1) "Coercion" includes, but is not limited to:

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.

- 13 (a) Setting conditions of or threatening employment, career advancement, or
14 educational opportunity of any person based on whether a woman produces or has
15 extracted her oocyte or oocytes;
- 16 (b) Promising or providing health care coverage to any person if a woman produces
17 or has extracted her oocyte or oocytes; or
- 18 (c) Threatening any person if a woman refuses to produce or have extracted her
19 oocyte or oocytes;
- 20 (2) "Valuable consideration" includes, but is not limited to:
- 21 (a) Direct or indirect payment for human oocytes;
- 22 (b) Compensation to any person for the time, inconvenience, or discomfort involved
23 in producing or extracting a woman's oocyte or oocytes;
- 24 (c) Reimbursement for expenditures incurred in connection with producing or
25 extracting a woman's oocyte or oocytes;
- 26 (d) In-kind benefits or reduction in medical costs to any person in exchange for a
27 woman producing or extracting her oocyte or oocytes; or
- 28 (e) Providing compensation or finder's fees to any person to induce a woman to
29 produce or have extracted her oocyte or oocytes.
- 30 3. Any person who violates any provision of subsection 1 or 2 of this section is guilty
31 of a class C felony.
- 32 4. Nothing in this section shall be construed as precluding any recovery for civil
33 damages otherwise permitted by law.

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