

HOUSE BILL No. 2252

By Representatives Kinzer, Beamer, Brown, Brunk, Donohoe, Hodge,
Huebert, Kelley, Kiegerl, Mast, Masterson and Peck

1-26

10 AN ACT concerning human cloning; relating to criminal and civil
11 penalties.

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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) It shall be unlawful for any person or entity, public or
15 private, to:

16 (1) Perform or attempt to perform human cloning;

17 (2) participate in an attempt to perform human cloning; or

18 (3) cause to be shipped or knowingly receive, by interstate or intra-
19 state commerce, the product of human cloning for any purpose.

20 (b) Upon conviction of a violation of subsection (a), a person shall be
21 guilty of a severity level 5, person felony.

22 (c) As used in this section:

23 (1) "Diploid cell" means a cell which has a complete set of
24 chromosomes.

25 (2) "Human cloning" means human asexual reproduction, accom-
26 plished by introducing nuclear material from one or more human somatic
27 cells into a fertilized or unfertilized oocyte whose nuclear material has
28 been removed or inactivated to produce a living organism (at any stage
29 of development) with a human or predominantly human genetic consti-
30 tution that is genetically virtually identical to an existing or previously
31 existing human organism.

32 (3) "Oocyte" means an egg before maturation.

33 (4) "Somatic cell" means a diploid cell which comes from cells of the
34 body that compose the tissues, organs or other parts of an individual other
35 than germ cells and which is obtained or derived from a living or deceased
36 human organism at any stage of development.

37 (d) Nothing in this section shall restrict areas of scientific research
38 not specifically prohibited by this section, including research in the use
39 of nuclear transfer or other cloning techniques to produce molecules,
40 DNA, cells other than human embryos, tissues, organs, plants or animals
41 other than humans.

42 (e) This section shall be part of and supplemental to the Kansas crim-
43 inal code.

1 Sec. 2. (a) A cause of action for civil penalties may be maintained by
2 any public official with appropriate jurisdiction to prosecute or enforce
3 the laws of this state against any person or entity that is in the course of
4 violating or has violated section 1, and amendments thereto.

5 (b) Judgment against a defendant in a cause of action brought under
6 subsection (a) shall result in a civil penalty of not less than \$100,000 nor
7 more than \$250,000. Moneys collected pursuant to this subsection shall
8 be deposited in the state general fund.

9 Sec. 3. This act shall take effect and be in force from and after its
10 publication in the statute book.