

HOUSE BILL No. 2254

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

1-26

10 AN ACT concerning human embryos; relating to criminal penalties.

11

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

13 Section 1. (a) It shall be unlawful for any person to:

14 (1) Intentionally or knowingly conduct destructive research on a hu-
15 man embryo;

16 (2) buy, sell, receive or otherwise transfer a human embryo with the
17 knowledge that such embryo will be subjected to destructive research; or

18 (3) buy, sell, receive or otherwise transfer gametes with the knowl-
19 edge that a human embryo will be produced from such gametes to be
20 used in destructive research.

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

23 (c) As used in this section:

24 (1) "Destructive research" means medical procedures, scientific or
25 laboratory research or other kinds of investigation that kills or injures the
26 subject of such research. It does not include:

27 (A) In vitro fertilization and accompanying embryo transfer to a
28 woman's body; or

29 (B) any procedure that may benefit the human embryo subject to
30 such tests.

31 (2) "Gamete" means a human sperm or unfertilized human ovum.

32 (3) "Human embryo" means a genetically complete living organism
33 of the species *homo sapiens*, from the single cell stage to eight weeks
34 development, that is not located in a woman's body.

35 (4) "Injury" means an act that would cause physical harm or damage
36 to the embryo such as:

37 (A) Damaging the embryo in such a way that the embryo could not
38 survive (severe damage);

39 (B) damage to the outer layer such that the embryo could not be
40 implanted; and

41 (C) damage or removal of the cells inside of the embryo such that
42 the embryo could not develop.

43 Injury does not preclude "preimplantation genetic diagnosis (PGD)"

1 in which only one or two cells are removed from an early embryo to check
2 the genetic makeup of the embryo for genetic disease.
3 Sec. 2. This act shall take effect and be in force from and after its
4 publication in the statute book.