



General Assembly

February Session, 2004

Substitute Bill No. 5536

* HB05536JUD 041404 *

AN ACT PERMITTING STEM CELL RESEARCH AND BANNING HUMAN CLONING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) For purposes of this
2 section:

3 (1) "Cloning of a human being" means the replication of a human
4 individual by cultivating a cell with genetic material through the egg,
5 embryo, fetal and newborn stages into a new human individual, and
6 includes the implantation of any cell or cells created by nuclear
7 transfer into the uterus of a woman for the purpose of initiating
8 pregnancy;

9 (2) "Institutional review board" means any board, committee or
10 other group formally designated by an institution to review
11 biomedical research and to approve the initiation and conduct periodic
12 review of such research;

13 (3) "Nuclear transfer" means the process of transferring the nucleus
14 of a cell into an egg cell from which the nucleus was removed thereby
15 replacing the DNA of such egg cell;

16 (4) "Valuable consideration" means financial gain or advantage, but
17 does not include reasonable payment for the removal, processing,

18 disposal, preservation, quality control, storage, transplantation or
19 implantation of embryonic or cadaveric fetal tissue.

20 (b) Research involving the derivation and use of human embryonic
21 stem cells, human embryonic germ cells or human adult stem cells
22 from any source, including nuclear transfer, may be done, provided it
23 is (1) conducted with full consideration for the ethical and medical
24 implications of such research, and (2) reviewed, in each case, by an
25 institutional review board operating in accordance with applicable
26 federal regulations.

27 (c) (1) A physician or other health care provider who is treating a
28 patient for infertility shall provide the patient with timely, relevant
29 and appropriate information sufficient to allow that person to make an
30 informed and voluntary choice regarding the disposition of any
31 human embryos remaining following the infertility treatment.

32 (2) A patient to whom information is provided pursuant to
33 subdivision (1) of this subsection shall be presented with the option of
34 storing any unused embryos, donating them to another person,
35 donating the remaining embryos for research purposes or other means
36 of disposition.

37 (3) A person who elects to donate for research purposes any
38 embryos remaining after receiving infertility treatment shall provide
39 written consent for that donation.

40 (d) (1) A person shall not knowingly, for valuable consideration,
41 purchase or sell or otherwise transfer or obtain, or promote the sale or
42 transfer of, embryos or cadaveric fetal tissue for research purposes
43 pursuant to this section, provided embryonic or cadaveric fetal tissue
44 may be donated for research purposes in accordance with the
45 provisions of subsection (c) of this section or other state or federal law.

46 (2) Any person who violates the provisions of this subsection shall
47 be fined not more than ten thousand dollars or imprisoned not more
48 than five years, or both.

49 (e) No person shall knowingly engage or assist, directly or
50 indirectly, in the cloning of a human being. Any person who violates
51 the provisions of this subsection shall be fined not more than fifty
52 thousand dollars or imprisoned not more than ten years, or both.

53 (f) The Commissioner of Public Health shall enforce the provisions
54 of this section and may adopt regulations, in accordance with the
55 provisions of chapter 54 of the general statutes, relating to the
56 administration and enforcement of this section. The commissioner may
57 request the Attorney General to petition the Superior Court for such
58 order as may be appropriate to enforce the provisions of this section.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

PH *Joint Favorable Subst.*

JUD *Joint Favorable*