



General Assembly

February Session, 2004

Amendment

LCO No. 4487

HB0562004487SD0

Offered by:

SEN. SULLIVAN, 5th Dist.

SEN. GUNTHER, 21st Dist.

SEN. MURPHY, 16th Dist.

To: Subst. House Bill No. 5620

File No. 495

Cal. No. 446

(As Amended)

"AN ACT CONCERNING THE ATTORNEY ASSISTANCE PROGRAM."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2004*) (a) For purposes of this
4 section:

5 (1) "Cloning of a human being" means any process that replicates a
6 human individual by cultivating a cell with genetic material through
7 the egg and embryo, to the fetal and newborn stages into a new human
8 individual, and includes the implantation of any cell or cells created by
9 nuclear transfer into a uterus in which a human pregnancy will be
10 initiated;

11 (2) "Institutional review board" means any board, committee or

12 other group formally designated by an institution to review
13 biomedical research and to approve the initiation and conduct periodic
14 review of such research;

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

18 (4) "Valuable consideration" means any financial gain or advantage,
19 but does not include reasonable payment for the removal, processing,
20 disposal, preservation, quality control, storage, transplantation or
21 implantation of human embryos and embryonic cells, or cells derived
22 therefrom.

23 (b) No person, as defined in section 1-1 of the general statutes, shall
24 conduct research involving the derivation and use of human
25 embryonic stem cells or human adult stem cells from any source,
26 including nuclear transfer, unless such research is (1) conducted with
27 full consideration for the ethical and medical implications of such
28 research, (2) conducted in vitro, not for implantation into a uterus, and
29 (3) reviewed and approved, in each case, by an institutional review
30 board operating in accordance with applicable federal regulations.

31 (c) The Department of Public Health shall establish and maintain a
32 registry of institutional review boards that perform review of research
33 as provided in subsection (b) of this section. Each institutional review
34 board reviewing such research shall register with the department in a
35 manner to be determined by the department. At such time as research
36 is approved, as provided in subsection (b) of this section, the
37 institutional review board shall submit a copy of such approval to the
38 department.

39 (d) (1) A physician or other health care provider who is treating a
40 patient for infertility shall provide the patient with timely, relevant
41 and appropriate information sufficient to allow that person to make an
42 informed and voluntary choice regarding the disposition of any
43 human embryos and embryonic cells, or cells derived therefrom

44 remaining following the infertility treatment.

45 (2) A patient to whom information is provided pursuant to
46 subdivision (1) of this subsection shall be presented with the option of
47 storing any unused embryos and embryonic cells, or cells derived
48 therefrom, donating them to another person, donating the remaining
49 embryos and embryonic cells, or cells derived therefrom, for research
50 purposes or other means of disposition.

51 (3) A person who elects to donate for research purposes any
52 embryos and embryonic cells, or cells derived therefrom, remaining
53 after receiving infertility treatment shall not receive any valuable
54 consideration for said embryos and embryonic cells, or cells derived
55 therefrom, and shall provide a notarized statement consenting to such
56 donation.

57 (e) (1) A person shall not knowingly, for valuable consideration, (A)
58 allow the implantation of human embryos and embryonic cells, or cells
59 derived therefrom, into a uterus, or (B) purchase or sell or otherwise
60 transfer or obtain, or promote the sale or transfer of, embryos and
61 embryonic cells, or cells derived therefrom for research purposes
62 pursuant to this section, provided embryos and embryonic cells, or
63 cells derived therefrom, may be donated for research purposes in
64 accordance with the provisions of subsection (d) of this section or other
65 state or federal law.

66 (2) Any person who violates the provisions of this subsection shall
67 be fined not less than fifty thousand dollars nor more than one
68 hundred thousand dollars and imprisoned not less than five years nor
69 more than ten years. Each violation of this subsection shall be a
70 separate and distinct offense.

71 (f) No person shall knowingly engage or assist, directly or
72 indirectly, in the cloning of a human being. Any person who violates
73 the provisions of this subsection shall be fined not less than one
74 hundred thousand dollars nor more than three hundred thousand
75 dollars, and imprisoned not less than ten years nor more than fifteen

76 years. Each violation of this subsection shall be a separate and distinct
77 offense.

78 (g) The Commissioner of Public Health shall enforce the provisions
79 of this section and may adopt regulations, in accordance with the
80 provisions of chapter 54 of the general statutes, relating to the
81 administration and enforcement of this section. The commissioner may
82 request the Attorney General to petition the Superior Court for such
83 order as may be appropriate to enforce the provisions of this section."