



General Assembly

February Session, 2004

Amendment

LCO No. 4190

SB0029104190SD0

Offered by:

SEN. SULLIVAN, 5th Dist.
SEN. GUNTHER, 21st Dist.
SEN. MURPHY, 16th Dist.

To: Subst. Senate Bill No. 291

File No. 429

Cal. No. 325

**"AN ACT CONCERNING THE ADMINISTRATION OF MEDICATION
FOR THE TREATMENT OF PSYCHIATRIC DISABILITIES TO
PERSONS FOUND NOT COMPETENT TO STAND TRIAL."**

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, embryo, 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 the uterus of a woman or any other entity for the
10 purpose of initiating pregnancy;

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 embryonic or cadaveric fetal tissue.

22 (b) No person, as defined in section 1-1 of the general statutes, shall
23 conduct research involving the derivation and use of human
24 embryonic stem cells, human embryonic germ cells or human adult
25 stem cells from any source, including nuclear transfer, unless such
26 research is (1) conducted with full consideration for the ethical and
27 medical implications of such research, and (2) reviewed and approved,
28 in each case, by an institutional review board operating in accordance
29 with applicable federal regulations.

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

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

43 (2) A patient to whom information is provided pursuant to

44 subdivision (1) of this subsection shall be presented with the option of
45 storing any unused embryos, donating them to another person,
46 donating the remaining embryos for research purposes or other means
47 of disposition.

48 (3) A person who elects to donate for research purposes any
49 embryos remaining after receiving infertility treatment shall not
50 receive any valuable consideration for said embryos and shall provide
51 a notarized statement consenting to such donation.

52 (e) (1) A person shall not knowingly, for valuable consideration,
53 purchase or sell or otherwise transfer or obtain, or promote the sale or
54 transfer of, embryos or cadaveric fetal tissue for research purposes
55 pursuant to this section, provided embryonic or cadaveric fetal tissue
56 may be donated for research purposes in accordance with the
57 provisions of subsection (d) of this section or other state or federal law.

58 (2) Any person who violates the provisions of this subsection shall
59 be fined not less than fifty thousand dollars nor more than one
60 hundred thousand dollars and imprisoned not less than five years nor
61 more than ten years. Each violation of this subsection shall be a
62 separate and distinct offense.

63 (f) No person shall knowingly engage or assist, directly or
64 indirectly, in the cloning of a human being. Any person who violates
65 the provisions of this subsection shall be fined not less than one
66 hundred thousand dollars nor more than three hundred thousand
67 dollars, and imprisoned not less than ten years nor more than fifteen
68 years. Each violation of this subsection shall be a separate and distinct
69 offense.

70 (g) The Commissioner of Public Health shall enforce the provisions
71 of this section and may adopt regulations, in accordance with the
72 provisions of chapter 54 of the general statutes, relating to the
73 administration and enforcement of this section. The commissioner may
74 request the Attorney General to petition the Superior Court for such
75 order as may be appropriate to enforce the provisions of this section."