



General Assembly

Amendment

February Session, 2004

LCO No. 5291

HB0562005291HRO

Offered by:

REP. CAFERO, 142nd Dist.
REP. FOX, 144th Dist.
REP. GUERRERA, 29th Dist.
REP. CARSON, 108th Dist.

REP. GIULIANO, 23rd Dist.
REP. WINKLER, 41st Dist.
REP. SHERER, 147th Dist.

To: Subst. House Bill No. 5620

File No. 495

Cal. No. 341

(As Amended By Senate Amendment Schedules "A" and "B")

"AN ACT CONCERNING THE ATTORNEY ASSISTANCE PROGRAM."

1 Strike Senate Amendment Schedules "A" and "B" in their entirety
2 and substitute the following in lieu thereof:

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 or newborn stages into a new human individual;

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

11 review of such research;

12 (3) "Valuable consideration" means any financial gain or advantage,
13 but does not include reasonable payment for the removal, processing,
14 disposal, preservation, quality control, storage, transplantation of
15 human adult stem cells or stem cells from the umbilical cord blood or
16 the placenta.

17 (b) No person, as defined in section 1-1 of the general statutes, shall
18 conduct research involving human adult, umbilical cord blood or
19 placental stem cells from any source unless such research is (1)
20 conducted with full consideration for the ethical and medical
21 implications of such research, and (2) reviewed and approved, in each
22 case, by an institutional review board operating in accordance with
23 applicable federal regulations.

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

32 (d) (1) A physician or other health care provider who is treating a
33 pregnant woman shall provide the patient with timely, relevant and
34 appropriate information sufficient to allow that patient to make an
35 informed and voluntary choice regarding the disposition of any stem
36 cells from placental tissue or umbilical cord blood.

37 (2) A patient to whom information is provided pursuant to
38 subdivision (1) of this subsection shall be presented with the option of
39 storing placental tissue or umbilical cord blood or donating them for
40 research purposes or other means of disposition.

41 (3) A patient who elects to donate for research purposes any human

42 adult stem cells, or stem cells from placental tissue or umbilical cord
43 blood shall not receive any valuable consideration for said donation
44 and shall provide a notarized statement consenting to such donation.

45 (e) No person shall knowingly engage or assist, directly or
46 indirectly, in the cloning of a human being. Any person who violates
47 the provisions of this subsection shall be fined not less than one
48 hundred thousand dollars nor more than three hundred thousand
49 dollars, and imprisoned not less than ten years nor more than fifteen
50 years. Each violation of this subsection shall be a separate and distinct
51 offense.

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

58 Sec. 502. (NEW) (*Effective October 1, 2004*) All information given to
59 or received by the donee in connection with the donation for research
60 purposes of stem cells, shall be confidential and shall not be disclosed
61 by the donee to any third person, other than a person to whom
62 disclosure is necessary for the accomplishment of donation.

63 Sec. 503. (*Effective from passage*) (a) There is established a task force to
64 study the legal and ethical aspects of embryonic stem cell research and
65 human cloning, and may include recommendations for future
66 legislative action.

67 (b) The task force shall consist of the following members:

68 (1) A medical ethicist, appointed by the speaker of the House of
69 Representatives;

70 (2) A representative from the health care field, appointed by the
71 president pro tempore of the Senate;

72 (3) A representative from a research institution, appointed by the
73 majority leader of the House of Representatives;

74 (4) An attorney, appointed by the majority leader of the Senate;

75 (5) One public member, appointed by the minority leader of the
76 House of Representatives;

77 (6) One public member, appointed by the minority leader of the
78 Senate;

79 (7) The Commissioner of Public Health, or the commissioner's
80 designee; and

81 (8) The chairpersons and ranking members of the joint standing
82 committee of the General Assembly having cognizance of matters
83 relating to public health, or their designees.

84 (c) All appointments to the task force shall be made no later than
85 thirty days after the effective date of this section. Any vacancy shall be
86 filled by the appointing authority.

87 (d) The speaker of the House of Representatives and the president
88 pro tempore of the Senate shall select the chairpersons of the task force
89 from among the members of the task force. Such chairpersons shall
90 schedule the first meeting of the task force, which shall be held no later
91 than sixty days after the effective date of this section.

92 (e) The administrative staff of the joint standing committee of the
93 General Assembly having cognizance of matters relating to public
94 health shall serve as administrative staff of the task force.

95 (f) Not later than January 1, 2005, the task force shall submit a report
96 on its findings and recommendations to the joint standing committee
97 of the General Assembly having cognizance of matters relating to
98 public health, in accordance with the provisions of section 11-4a of the
99 general statutes. The task force shall terminate on the date that it
100 submits such report or January 1, 2005, whichever is earlier."