



General Assembly

January Session, 2005

Raised Bill No. 934

LCO No. 2773

02773_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT PERMITTING STEM CELL RESEARCH AND BANNING THE CLONING OF HUMAN BEINGS.

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

1 Section 1. (NEW) (*Effective October 1, 2005*) (a) As used in this section
2 and section 2 of this act:

3 (1) "Institutional review committee" means the local institutional
4 review committee specified in 21 USC 360j(g)(3)(A)(i), as amended
5 from time to time, and, when applicable, an institutional review board
6 established in accordance with the requirements of 45 CFR 46, Subpart
7 A, as amended from time to time.

8 (2) "Cloning of a human being" means inducing or permitting a
9 replicate of a living human being's complete set of genetic material to
10 develop into the stage of human development after the embryonic
11 stage when cells undergoing division are sufficiently differentiated
12 such that organ formation is observable.

13 (3) "Embryonic stem cells" means cells created through the joining of
14 a human egg and sperm or through nuclear transfer that are

15 sufficiently undifferentiated such that they cannot be identified as
16 components of any specialized cell type.

17 (4) "Nuclear transfer" means the replacement of the nucleus of a
18 human egg with a nucleus from another human cell.

19 (b) No person shall knowingly (1) engage or assist, directly or
20 indirectly, in the cloning of a human being, (2) implant human
21 embryos created by nuclear transfer into a uterus or other device
22 similar to a uterus, or (3) facilitate human reproduction through
23 clinical or other use of human embryos created by nuclear transfer.
24 Any person who violates the provisions of this subsection shall be
25 fined not more than fifty thousand dollars or imprisoned not more
26 than ten years, or both. Each violation of this subsection shall be a
27 separate and distinct offense.

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

34 (2) A patient to whom information is provided pursuant to
35 subdivision (1) of this subsection shall be presented with the option of
36 storing, donating to another person, donating for research purposes, or
37 otherwise disposing of any unused embryos or embryonic stem cells.

38 (3) A person who elects to donate for research purposes any
39 embryos or embryonic stem cells remaining after receiving infertility
40 treatment shall provide written consent for that donation and shall not
41 receive monetary payment, direct or indirect, for such embryos or
42 embryonic stem cells.

43 (4) Any person who violates the provisions of this subsection shall
44 be fined not more than fifty thousand dollars or imprisoned not more

45 than five years, or both. Each violation of this subsection shall be a
46 separate and distinct offense.

47 (d) A person may conduct research involving embryonic stem cells,
48 provided the research is (1) conducted with full consideration for the
49 ethical and medical implications of such research, and (2) reviewed
50 and approved by an institutional review committee.

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

57 Sec. 2. (NEW) (*Effective July 1, 2005*) (a) There is established the
58 "Stem Cell Research Fund" which shall be a separate nonlapsing
59 account within the General Fund. The fund may contain any moneys
60 required by law to be deposited in the fund and any moneys
61 appropriated to it by the state, or any funds received from any public
62 or private contributions, gifts, grants, donations, bequests or devises to
63 the fund, and any interest, income, dividends or investment earnings
64 on such moneys or funds. The moneys within the fund shall be used
65 by the Commissioner of Public Health to advance embryonic and adult
66 stem cell research in Connecticut pursuant to subsection (b) of this
67 section.

68 (b) The Commissioner of Public Health shall use the moneys in the
69 Stem Cell Research Fund upon the direction of the stem cell research
70 advisory committee, for the purposes of (1) developing a donated
71 funds program to encourage the development of funds other than state
72 appropriations for embryonic and adult stem cell research, (2)
73 establishing and administering a stem cell research grant program
74 which shall provide grants to research institutions for the
75 advancement of embryonic and adult stem cell research, and (3)
76 establishing a separate peer review committee which shall be charged

77 with reviewing any grants provided by the fund. The commissioner
78 shall adopt regulations, in accordance with the provisions of chapter
79 54 of the general statutes, to provide for the distribution of grants
80 available pursuant to this section.

81 (c) There is established a stem cell research advisory committee.
82 Such committee shall consist of the Commissioner of Public Health, or
83 a designee, and twelve members who shall serve for a term of four
84 years and shall be appointed as follows: Two by the Governor; two by
85 the Lieutenant Governor; two by the president pro tempore of the
86 Senate; two by the speaker of the House of Representatives; one each
87 by the majority leaders of the Senate and House of Representatives;
88 and one each by the minority leaders of the Senate and House of
89 Representatives. All members appointed to the committee shall
90 possess knowledge and understanding of the field of embryonic and
91 adult stem cell research and shall work to advance embryonic and
92 adult stem cell research in Connecticut. All appointments to the
93 committee shall be made by November 1, 2005. Any vacancy shall be
94 filled by the appointing authority.

95 (d) The Commissioner of Public Health, or the commissioner's
96 designee, shall serve as the chairperson of the committee and shall
97 schedule the first meeting of the committee, which shall be held no
98 later than December 1, 2005.

99 (e) Not later than June 30, 2006, and annually thereafter, the stem
100 cell research advisory committee shall report to the joint standing
101 committee of the General Assembly having cognizance of matters
102 relating to public health, in accordance with the provisions of section
103 11-4a of the general statutes. Such report shall (1) include an analysis
104 of the status of stem cell research in the state, and (2) examine and
105 identify specific ways to improve and promote both for profit and not-
106 for-profit embryonic and adult stem cell research within Connecticut,
107 including, but not limited to, identifying both public and private
108 funding sources for embryonic and adult stem cell research,

109 maintaining existing embryonic and adult stem cell related businesses,
110 recruiting new embryonic and adult stem cell related businesses to the
111 state and recruiting scientists and researchers to the state.

112 Sec. 3. *(Effective July 1, 2005)* The sum of ten million dollars is
113 appropriated to the Department of Public Health, from the General
114 Fund, for the fiscal year ending June 30, 2006, for the Stem Cell
115 Research Fund established pursuant to section 2 of this act.

116 Sec. 4. *(Effective July 1, 2006)* The sum of ten million dollars is
117 appropriated to the Department of Public Health, from the General
118 Fund, for the fiscal year ending June 30, 2007, for the Stem Cell
119 Research Fund established pursuant to section 2 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	New section
Sec. 2	<i>July 1, 2005</i>	New section
Sec. 3	<i>July 1, 2005</i>	New section
Sec. 4	<i>July 1, 2006</i>	New section

Statement of Purpose:

To permit stem cell research and to prohibit human cloning.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]