

By Mr. Koutoujian of Waltham, petition of Peter J. Koutoujian and John W. Scibak for legislation to prohibit human cloning. Economic Development and Emerging Technologies.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO PROHIBIT HUMAN CLONING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Finding.

2 Human procreative cloning presently poses such risk to off-
3 spring and mother as to be irresponsible in the attempt.

1 SECTION 2. Definitions.

2 The following terms are used herein as follows.

3 (a) "Activation" consists in stimulation of an oocyte that
4 induces cleavage.

5 (b) "Nonprocreative cloning" consists in formation by somatic
6 cell nuclear transfer of an embryo that is not transferred to a
7 uterus.

8 (c) "Nonprocreative parthenogenesis" consists in formation by
9 parthenogenesis of a parthenote that is not transferred to a uterus.

10 (d) "Parthenogenesis" consists in activation, without transfer of
11 foreign DNA, of a human oocyte.

12 (e) A "parthenote" is a product of parthenogenesis.

13 (f) "Somatic cell nuclear transfer" consists in activation of an
14 enucleated oocyte in conjunction with transfer to the oocyte of a
15 human somatic cell nucleus.

16 (g) "Uterus" includes a uterus, artificial uterus, or fallopian
17 tube.

1 SECTION 3. Proscribed Conduct.

2 It shall be unlawful to transfer or attempt to transfer into a
3 uterus either an embryo formed by somatic cell nuclear transfer or
4 a parthenote.

1 SECTION 4. Penalties.

2 Any person who violates section 3 hereof shall be punishable
3 by a fine of not less than \$50,000 and a prison sentence of not less
4 than 30 years and any entity who violates section 3 hereof shall be
5 punishable by a fine of not less than \$500,000 and a prison sen-
6 tence for said involved persons of not less than 30 years. Further-
7 more, said product produced in violation of section 3 hereof may
8 be destroyed pursuant to a ruling by the Attorney General of the
9 Commonwealth of Massachusetts, and no social or financial ben-
10 efit shall accrue to said violator and, in the case of a person, his or
11 her immediate family.

1 SECTION 5. Construal.

2 Nothing herein contained shall be construed to govern or
3 restrict the practice of nonprocreative cloning, nonprocreative
4 parthenogenesis, or any practice not expressly prohibited hereby.