

**2013 -- H 5424 SUBSTITUTE A**

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LC01133/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2013**

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A N A C T

RELATING TO HEALTH AND SAFETY - HUMAN CLONING

Introduced By: Representatives Corvese, Azzinaro, Fellela, Winfield, and Malik

Date Introduced: February 13, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 23-16.4-1, 23-16.4-2 and 23-16.4-4 of the General Laws in  
2 Chapter 23-16.4 entitled "Human Cloning" are hereby amended to read as follows:

3           **23-16.4-1. Declaration of intent and purpose.** -- Whereas, recent medical and  
4 technological advances have had tremendous benefit to patients, and society as a whole, and  
5 biomedical research for the purpose of scientific investigation of disease or cure of a disease or  
6 illness should be preserved and protected and not be impeded by regulations involving the  
7 cloning of an entire human being; and

8           Whereas, molecular biology, involving human cells, genes, tissues, and organs, has been  
9 used to meet medical needs globally for ~~twenty (20)~~ more than thirty (30) years, and has proved a  
10 powerful tool in the search for cures, leading to effective medicines to treat cystic fibrosis,  
11 diabetes, heart attack, stroke, hemophilia, and HIV/AIDS;

12           The purpose of this legislation is to place a ban on the creation of a human being through  
13 division of a blastocyst, zygote, or embryo or somatic cell nuclear transfer, and to protect the  
14 citizens of the state from potential abuse deriving from cloning technologies. This ban is not  
15 intended to apply to the cloning of human cells, genes, tissues, or organs that would not result in  
16 the replication of an entire human being. Nor is this ban intended to apply to in vitro fertilization,  
17 the administration of fertility enhancing drugs, or other medical procedures used to assist a  
18 woman in becoming or remaining pregnant, so long as that procedure is not specifically intended  
19 to result in the gestation or birth of a child who is genetically identical to another conceptus,

1 embryo, fetus, or human being, living or dead.

2 **23-16.4-2. Cloning of human beings prohibited.** -- (a) Prohibition. - No person or entity  
3 shall utilize somatic cell nuclear transfer for the purpose of initiating or attempting to initiate a  
4 human pregnancy nor shall any person create genetically identical human beings by dividing a  
5 blastocyst, zygote, or embryo.

6 (b) Definitions.

7 (1) "Nucleus" means the cell structure that houses the chromosomes, and thus the genes;

8 (2) "Oocyte" means the female germ cell, the egg;

9 (3) "Somatic cell" means any cell of a conceptus, embryo, fetus, child, or adult not  
10 biologically determined to become a germ cell; and

11 (4) "Somatic cell nuclear transfer" means transferring the nucleus of a human somatic  
12 cell into an oocyte from which the nucleus has been removed.

13 (c) Protected research and practices.

14 (1) Nothing in this section shall be construed to restrict areas of biomedical,  
15 microbiological, and agricultural research or practices not expressly prohibited in this section,  
16 including research or practices that involve the use of:

17 (i) Somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA,  
18 cells, and tissues;

19 (ii) Mitochondrial, cytoplasmic, or gene therapy; or

20 (iii) Somatic cell nuclear transfer techniques to create animals.

21 (2) Nothing in this section shall be construed to prohibit:

22 (i) In vitro fertilization, the administration of fertility-enhancing drugs, or other medical  
23 procedures used to assist a woman in becoming or remaining pregnant, so long as that pregnancy  
24 is not specifically intended to result in the production of a child who is genetically identical to  
25 another human being, living or dead;

26 (ii) Any activity or procedure that results, directly or indirectly in two (2) or more natural  
27 identical twins.

28 **23-16.4-4. Sunset clause.** -- ~~The prohibition in section~~ Subsection 23-16.4-2(a) shall  
29 expire on ~~July 7, 2010~~ July 7, 2017.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO HEALTH AND SAFETY - HUMAN CLONING

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1           This act would reenact the prohibition whereby no person or entity shall utilize somatic  
2 cell nuclear transfer for the purpose of initiating or attempting to initiate a human pregnancy nor  
3 shall any person create genetically identical human beings by dividing a blastocyst, zygote or  
4 embryo. It would also establish that the prohibition would expire on July 7, 2017.

5           This act would take effect upon passage.

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