

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1552

By: Reynolds

AS INTRODUCED

An Act relating to public health and safety; creating the Human Cloning Prohibition Act; defining terms; making certain activities unlawful; providing for certain penalties; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2390 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Human Cloning Prohibition Act".

B. As used in this act:

1. "Asexual reproduction" means reproduction not initiated by the union of oocyte and sperm;

2. "Embryo" means an organism of the species homo sapiens from the single cell stage to eight (8) weeks development;

3. "Fetus" means an organism of the species homo sapiens from eight (8) weeks development until complete expulsion or extraction from a woman's body, or removal from an artificial womb or other similar environment designed to nurture the development of such organism;

4. "Human cloning" means human asexual reproduction, accomplished by introducing the nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte whose nucleus has been removed or inactivated to produce a living

organism, at any stage of development, that is genetically virtually identical to an existing or previously existing human organism;

5. "Oocyte" means the human female germ cell or the egg; and

6. "Somatic cell" means a diploid cell, having a complete set of chromosomes, obtained or derived from a living or deceased human body at any stage of development.

C. It shall be unlawful for any person or entity, public or private:

1. To perform or attempt to perform human cloning;

2. To participate in an attempt to perform human cloning; or

3. To ship or receive the product of human cloning for any purpose within the State of Oklahoma.

D. 1. Any person or entity that is convicted of violating any provision of this section shall be guilty of a felony and subject to a fine pursuant to the provisions of paragraph 2 of this subsection, or imprisoned in the State Penitentiary for not more than ten (10) years, or by both such fine and imprisonment.

2. Any person or entity that is convicted of violating any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a fine of not less than One Million Dollars (\$1,000,000.00) and not more than an amount equal to the amount of the gross gain multiplied by two (2), if that amount is greater. In all other cases, a violation and conviction of the provisions of this section shall subject a person or entity to a fine of not less than Five Hundred Thousand Dollars (\$500,000.00).

3. Any violation of this act shall constitute unprofessional conduct for medical doctors, surgeons and osteopath doctors and shall result in permanent revocation of the violator's license to practice medicine.

4. Any violation of this act may be the basis:

a. for denying an application,

- b. for denying an application for the renewal of, or
- c. for revoking any license, permit, certificate or any other form of permission required to practice or engage in a trade, occupation or profession.

E. The use of any state monies for purposes contrary to the provisions of this act is hereby prohibited.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-2491

CJ

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