

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1442

By: Faught

4
5 AS INTRODUCED

6 An Act relating to public health and safety; creating
7 the Destructive Human Embryo Research Act; making
8 legislative findings; establishing purpose; defining
9 terms; prohibiting certain acts; providing penalties;
10 providing for certain intervention in litigation;
11 providing for codification; and providing an
12 effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-727A of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 This act shall be known and may be cited as the "Destructive
18 Human Embryo Research Act".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1-727B of Title 63, unless there
21 is created a duplication in numbering, reads as follows:

22 A. The Legislature of the State of Oklahoma finds that:

23 1. Human embryos are human beings at the earliest stage of
24 development;

1 2. Some human embryos are being created and then destroyed to
2 obtain stem cells for research;

3 3. Destructive human embryo research to obtain embryonic stem
4 cells raises grave moral, ethical, scientific, and medical issues
5 that must be addressed;

6 4. The moral justification of medical or scientific research
7 cannot be based upon the dehumanizing and utilitarian premise that
8 the end justifies any means; and

9 5. Medical research and treatment does not require the
10 destruction of human life, because it can be ethically pursued in
11 other ways, including the use of adult stem cells.

12 B. Accordingly, it is the purpose of the Destructive Human
13 Embryo Research Act to prohibit destructive human embryo research.

14 SECTION 3. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1-727C of Title 63, unless there
16 is created a duplication in numbering, reads as follows:

17 For purposes of the Destructive Human Embryo Research Act:

18 1. "Human embryo" means a genetically complete living organism
19 of the species homo sapiens, from the single cell stage to eight (8)
20 weeks development, that is not located in a woman's body;

21 2. "Gamete" means a human sperm or unfertilized human ovum; and

22 3. "Destructive research" means medical procedures, scientific
23 or laboratory research, or other kinds of investigation that kill or
24 injure the subject of such research. It does not include:

- 1 a. in vitro fertilization and accompanying embryo
2 transfer to a woman's body, or
3 b. any diagnostic procedure that may benefit the human
4 embryo subject to such tests.

5 SECTION 4. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 1-727D of Title 63, unless there
7 is created a duplication in numbering, reads as follows:

8 It shall be unlawful for any person to:

- 9 1. Intentionally or knowingly conduct destructive research on a
10 human embryo;
11 2. Buy, sell, receive, or otherwise transfer a human embryo
12 with the knowledge that such embryo shall be subjected to
13 destructive research; or
14 3. Buy, sell, receive, or otherwise transfer gametes with the
15 knowledge that a human embryo will be produced from such gametes to
16 be used in destructive research.

17 SECTION 5. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1-727E of Title 63, unless there
19 is created a duplication in numbering, reads as follows:

20 A. Whoever violates paragraph 1 of Section 4 of this act shall
21 be guilty of a misdemeanor for each violation.

22 B. Whoever violates paragraph 2 of Section 4 of this act shall
23 be guilty of a misdemeanor for each violation.
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1 C. Whoever violates paragraph 3 of Section 4 of this act shall
2 be guilty of a misdemeanor for each violation.

3 SECTION 6. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1-727F of Title 63, unless there
5 is created a duplication in numbering, reads as follows:

6 The Legislature, by joint resolution, may appoint one or more of
7 its members who sponsored or cosponsored the Destructive Human
8 Embryo Research Act, as a matter of right and in his or her official
9 capacity, to intervene to defend the Destructive Human Embryo
10 Research Act in any case in which its constitutionality is
11 challenged.

12 SECTION 7. This act shall become effective November 1, 2011.

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