

As Introduced

130th General Assembly
Regular Session
2013-2014

H. B. No. 308

Representative Thompson

Cosponsors: Representatives Hood, Lynch, Johnson, Becker, Derickson,
Buchy, Beck, Grossman, Stebelton, Henne, Hottinger

A BILL

To amend section 3701.99 and to enact sections 1
3701.94 and 3701.95 of the Revised Code to 2
prohibit human cloning, the creation, 3
transportation, or receipt of a human-animal 4
hybrid, the transfer of a nonhuman embryo into a 5
human womb, and the transfer of a human embryo 6
into a nonhuman womb. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3701.99 be amended and sections 8
3701.94 and 3701.95 of the Revised Code be enacted to read as 9
follows: 10

Sec. 3701.94. (A) As used in this section: 11

(1) "Asexual reproduction" means the creation of a human 12
zygote, human blastocyst, or human embryo by any means other than 13
fertilization of a human egg by a human sperm. 14

(2) "Human blastocyst" means an early stage human embryo that 15
is five to seven days after conception. A blastocyst has an outer 16
layer of cells known as the trophoblast and an interior group of 17
cells that is the inner cell mass. 18

(3) "Human cloning" means the use of asexual reproduction to create a human zygote, human blastocyst, or human embryo that is genetically virtually identical to an existing or previously existing human organism. 19
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(4) "Human embryo" means an organism of the species homo sapiens during the earliest stages of development from one cell up to eight weeks. 23
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(5) "Human zygote" means a one-cell human embryo. 26

(B) No person or governmental entity shall knowingly do any of the following in this state: 27
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(1) Perform or attempt to perform human cloning; 29

(2) Participate in the performance or attempted performance of human cloning; 30
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(3) Send or receive a human embryo that is produced by human cloning. 32
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Sec. 3701.95. (A) As used in this section: 34

(1) "Human-animal hybrid" means any of the following: 35

(a) A human embryo into which a nonhuman cell or a component of a nonhuman cell is introduced so that it is uncertain whether the human embryo is a member of the species homo sapiens; 36
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(b) A hybrid human-animal embryo produced by fertilizing a human egg with a nonhuman sperm; 39
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(c) A hybrid human-animal embryo produced by fertilizing a nonhuman egg with a human sperm; 41
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(d) An embryo produced by introducing a nonhuman nucleus into a human egg; 43
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(e) An embryo produced by introducing a human nucleus into a nonhuman egg; 45
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<u>(f) An embryo containing at least haploid sets of chromosomes</u>	47
<u>from both a human and a nonhuman life form;</u>	48
<u>(g) A nonhuman life form engineered with the intention of</u>	49
<u>generating functional human gametes within the body of a nonhuman</u>	50
<u>life form;</u>	51
<u>(h) A nonhuman life form engineered such that it contains a</u>	52
<u>human brain or a brain derived wholly from human neural tissues.</u>	53
<u>(2) "Human embryo" means an organism of the species homo</u>	54
<u>sapiens during the earliest stages of development from one cell up</u>	55
<u>to eight weeks.</u>	56
<u>(B) No person shall knowingly do any of the following:</u>	57
<u>(1) Create or attempt to create a human-animal hybrid;</u>	58
<u>(2) Transfer or attempt to transfer a human embryo into a</u>	59
<u>nonhuman womb;</u>	60
<u>(3) Transfer or attempt to transfer a nonhuman embryo into a</u>	61
<u>human womb;</u>	62
<u>(4) Transport or receive for any purpose a human-animal</u>	63
<u>hybrid.</u>	64
<u>(C) Nothing in this section prohibits any of the following:</u>	65
<u>(1) Research involving the use of transgenic animal models</u>	66
<u>containing human genes;</u>	67
<u>(2) Xenotransplantation of human organs, tissues, or cells</u>	68
<u>into recipient animals, including animals at any stage of</u>	69
<u>development prior to birth, so long as the xenotransplantation</u>	70
<u>does not violate a prohibition in division (B) of this section;</u>	71
<u>(3) An individual from receiving organs, tissues, or cells</u>	72
<u>delivered from outside of this state.</u>	73
Sec. 3701.99. (A) Whoever violates division (C) of section	74

3701.23, division (C) of section 3701.232, division (C) of section 75
3701.24, division (B) of section 3701.25, division (I) of section 76
3701.262, division (D) of section 3701.263, or sections 3701.46 to 77
3701.55 of the Revised Code is guilty of a minor misdemeanor on a 78
first offense; on each subsequent offense, the person is guilty of 79
a misdemeanor of the fourth degree. 80

(B) Whoever violates section 3701.82 of the Revised Code is 81
guilty of a misdemeanor of the first degree. 82

(C) Whoever violates section 3701.352 or 3701.81 of the 83
Revised Code is guilty of a misdemeanor of the second degree. 84

(D) Whoever violates section 3701.94 of the Revised Code 85
shall be subject to the following: 86

(1) A term of imprisonment of not more than five years; 87

(2) If the offender derives pecuniary gain as a result of the 88
violation, a fine of not less than one million dollars and not 89
more than an amount equal to two times the amount of the gross 90
pecuniary gain if that amount is more than one million dollars. 91

(E) Whoever violates section 3701.95 of the Revised Code 92
shall be subject to the following: 93

(1) A term of imprisonment of not more than one year; 94

(2) If the offender derives pecuniary gain as a result of the 95
violation, a fine of not less than two hundred fifty thousand 96
dollars and not more than five hundred thousand dollars. 97

Section 2. That existing section 3701.99 of the Revised Code 98
is hereby repealed. 99