

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003

A Bill

SENATE BILL 185

4
5 By: Senator Critcher
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7

For An Act To Be Entitled

8
9 AN ACT TO PROHIBIT HUMAN CLONING; AND FOR OTHER
10 PURPOSES.
11

Subtitle

12
13 AN ACT TO PROHIBIT HUMAN CLONING.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code Title 20, Chapter 16, is amended to add an
19 additional subchapter to read as follows:

20 20-16-1001. Definitions.

21 As used in this subchapter:

22 (1) "Asexual reproduction" means reproduction not initiated by the
23 union of oocyte and sperm;

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

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

30 (4) "Human cloning" means human asexual reproduction, accomplished by
31 introducing the genetic material from one (1) or more human somatic cells
32 into a fertilized or unfertilized oocyte whose nuclear material has been
33 removed or inactivated so as to produce a living organism, at any stage of
34 development, that is genetically virtually identical to an existing or
35 previously existing human organism;

36 (5) "Oocyte" means the human female germ cell, the egg; and



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

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5 20-16-1002. Prohibited acts – Penalties.

6 (a) It is unlawful for any person or entity, public or private to
7 intentionally or knowingly:

8 (1) Perform or attempt to perform human cloning;

9 (2) Participate in an attempt to perform human cloning;

10 (3) Ship, transfer, or receive for any purpose an embryo
11 produced by human cloning; or

12 (4) Ship, transfer, or receive, in whole or in part, any oocyte,
13 embryo, fetus, or human somatic cell, for the purpose of human cloning.

14 (b) A violation of subdivision (a)(1) or (a)(2) of this section, or
15 both, is a class C felony.

16 (c) A violation of subdivision (a)(3) or (a)(4) of this section, or
17 both, is a Class A misdemeanor.

18 (d) In addition to any criminal penalty that may be levied, any person
19 or entity that violates any provision of this section shall be subject to a
20 civil penalty of not less than two hundred fifty thousand dollars (\$250,000)
21 or twice the amount of any pecuniary gain that is received by the person or
22 entity, whichever is greater.

23
24 20-16-1003. Scientific research.

25 (a) This subchapter does not restrict areas of scientific research not
26 specifically prohibited by this subchapter, including research in the use of
27 nuclear transfer or other cloning techniques to produce molecules, DNA, cells
28 other than human embryos, tissues, organs, plants, or animals other than
29 humans.

30 (b) This subchapter does not apply to in vitro fertilization, the
31 administration of fertility enhancing drugs, or other medical procedures used
32 to assist a woman in becoming or remaining pregnant, so long as that
33 procedure is not specifically intended to result in the gestation or birth of
34 a child who is genetically identical to another conceptus, embryo, fetus, or
35 human being, living or dead.

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20-16-1004. No right of action.
This subchapter does not create a private right of action.