

SECOND REGULAR SESSION

# HOUSE BILL NO. 1151

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES LEMBKE (Sponsor), PORTWOOD, MUCKLER, BEARDEN, AVERY, TOWNLEY, HARRIS (110), SMITH (14), DEMPSEY, HUBBARD, DAVIS (19), MUNZLINGER, ENGLER, PHILLIPS, DIXON, MYERS, ERVIN, BLACK, WOOD, RUPP, REINHART, DUSENBERG, CUNNINGHAM (145), MOORE, LUETKEMEYER, YATES, WALLACE, SANDER, DOUGHERTY, HUNTER, MILLER, KELLY (36), CROWELL, SELF, JETTON, GUEST, CRAWFORD, HOBBS, SCHLOTTACH, STEFANICK, STEVENSON, WILSON (119), MAYER, DEEKEN, MORRIS, BIVINS, WASSON, RICHARD, ICET, COOPER (120), BAKER, LIPKE, BEAN, PARKER, WRIGHT, SCHAAF, YAEGER, KELLY (144), KINGERY, BRUNS, ROARK, GOODMAN, WILSON (130), RUESTMAN, VIEBROCK, SCHNEIDER, EMERY, QUINN, ST. ONGE, VILLA, MAY, HENKE, LIESE, CUNNINGHAM (86), WILDBERGER, ANGST, BROWN, NIEVES, WAGNER, SALVA, SPRENG, BURNETT, SHOEMYER, KRATKY, SELBY, WARD, BEHNEN, KUESSNER, MEINERS, SCHOEMEHL, GEORGE, McKENNA, KING, SHOEMAKER, SMITH (118), DETHROW, HAMPTON, RECTOR, CORCORAN, PEARCE, MARSH AND VOGT (Co-sponsors).

Read 1<sup>st</sup> time January 15, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2865L.011

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### AN ACT

To amend chapter 565, RSMo, by adding thereto one new section relating to human cloning, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 565, RSMo, is amended by adding thereto one new section, to be known as section 565.305, to read as follows:

**565.305. 1. As used in this section, the following terms and phrases shall mean:**

- (1) "Clone a human being" or "cloning a human being", the creation of a human being by any means other than by the fertilization of an oocyte of a human female by a sperm of a human male;
- (2) "Cloned human being", a human being created by human cloning;
- (3) "Public employee", any person employed by the state of Missouri or any agency or political subdivision thereof;
- (4) "Public facilities", any public institution, public facility, public equipment, or any physical asset owned, leased, or controlled by the state of Missouri or any agency or political subdivision thereof;

11           **(5) "Public funds", any funds received or controlled by the state of Missouri or any**  
12 **agency or political subdivision thereof, including, but not limited to, funds derived from**  
13 **federal, state, or local taxes, gifts, or grants from any source, public or private, federal**  
14 **grants or payments, or intergovernmental transfers.**

15           **2. No person shall knowingly clone a human being or participate in cloning a**  
16 **human being.**

17           **3. No person shall knowingly use public funds to clone a human being or attempt**  
18 **to clone a human being.**

19           **4. No person shall knowingly use public facilities to clone a human being or attempt**  
20 **to clone a human being.**

21           **5. No public employee shall knowingly allow any person to clone a human being or**  
22 **attempt to clone a human being while making use of public funds or public facilities.**

23           **6. Any person who violates the provisions of subsections 2 to 5 of this section is**  
24 **guilty of a class B felony.**

25           **7. The laws of this state shall be interpreted and construed to acknowledge on**  
26 **behalf of a cloned human being at every stage of development, all the rights, privileges, and**  
27 **immunities available to other persons, citizens, and residents of this state, subject only to**  
28 **the Constitution of the United States and decisional interpretations thereof by the United**  
29 **States Supreme Court and specific provisions to the contrary in the statutes and**  
30 **constitution of this state.**