

By: Representative Gadd

To: Judiciary B

HOUSE BILL NO. 1201

1 AN ACT TO PROHIBIT HUMAN CLONING; TO PROHIBIT SHIPPING OR  
2 RECEIVING EMBRYOS PRODUCED BY HUMAN CLONING; TO DEFINE "HUMAN  
3 CLONING"; TO PROVIDE CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS  
4 OF THIS ACT; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** This act may be cited as the "Human Cloning  
7 Prohibition Act of 2006."

8 **SECTION 2.** As used in this act:

9 (a) "Human cloning" means human asexual reproduction,  
10 accomplished by introducing nuclear material from one or more  
11 human somatic cells into a fertilized or unfertilized oocyte whose  
12 nuclear material has been removed or inactivated so as to produce  
13 a living organism (at any stage of development) that is  
14 genetically virtually identical to an existing or previously  
15 existing human organism.

16 (b) "Asexual reproduction" means reproduction not  
17 initiated by the union of oocyte and sperm.

18 (c) "Somatic cell" means a diploid cell (having a  
19 complete set of chromosomes) obtained or derived from a living or  
20 deceased human body at any stage of development.

21 **SECTION 3.** (1) It shall be unlawful for any person or  
22 entity, public or private, knowingly:

23 (a) To perform or attempt to perform human cloning;

24 (b) To participate in an attempt to perform human  
25 cloning; or

26 (c) To ship or receive for any purpose an embryo  
27 produced by human cloning.

28           (2) It shall be unlawful for any person or entity, public or  
29 private, knowingly to import for any purpose an embryo produced by  
30 human cloning.

31           (3) (a) Any person or entity that violates any provision of  
32 this section shall be guilty of a misdemeanor, and upon conviction  
33 thereof, shall be fined not more than Five Thousand Dollars  
34 (\$5,000.00) or imprisoned in the county jail for not more than one  
35 (1) year, or both.

36           (b) Any person or entity that violates any provision of  
37 this section shall be subject to, in the case of a violation that  
38 involves the derivation of a pecuniary gain, a civil penalty of  
39 not less than One Million Dollars (\$1,000,000.00) and not more  
40 than an amount equal to the amount of the gross gain multiplied by  
41 two (2), if that amount is greater than One Million Dollars  
42 (\$1,000,000.00).

43           (4) Nothing in this section restricts areas of scientific  
44 research not specifically prohibited by this section, including  
45 research in the use of nuclear transfer or other cloning  
46 techniques to produce molecules, DNA, cells other than human  
47 embryos, tissues, organs, plants, or animals other than humans.

48           **SECTION 4.** This act shall take effect and be in force from  
49 and after July 1, 2006.