

Amend Amendment No. 9 by King to CSSB 1652 by striking the text of the amendment and substituting the following:

SECTION _____. Chapter 161, Health and Safety Code, is amended by adding Subchapter R to read as follows:

SUBCHAPTER R. HUMAN CLONING

Sec. 161.451. DEFINITIONS. In this subchapter:

(1) "Differentiated cell" means a cell that has acquired the features of a specialized cell, such as a heart, liver, or muscle cell.

(2) "Fertilization" means the process through which male and female gametes unite.

(3) "Human cloning" means the use of human somatic cell nuclear transfer technology, or the product of such technology, with the intent to produce a human individual by implanting or attempting to implant the product of the technology into a uterus or the functional equivalent of a uterus.

(4) "Human somatic cell nuclear transfer technology" means the transfer of a cell nucleus from a cell, other than an egg or sperm cell, into an unfertilized egg from which the nucleus is removed or rendered inert to form an unfertilized blastocyst.

(5) "Nucleus" means the cell structure that houses the chromosomes.

(6) "Pluripotent stem cell" means a stem cell that has the ability to develop into many different cell types of the body.

(7) "Regenerative or reparative medical therapy or treatment" means a therapy or treatment in which pluripotent stem cells are induced to differentiate into the specific cell type required to repair damaged or depleted adult cell populations or tissues.

(8) "Undifferentiated cell" means a cell that has not changed to become a specialized cell type.

(9) "Unfertilized blastocyst" means an intact cellular structure that is the product of human somatic cell nuclear transfer. The term does not include stem cells, other cells, cellular structures, or biological products derived from an intact cellular structure that is the product of human somatic cell nuclear transfer technology.

Sec. 161.452. HUMAN CLONING PROHIBITED. (a) A person may not engage in or attempt to engage in human cloning.

(b) A person may not maintain an unfertilized blastocyst for more than 14 days after the date of its first cell division, not including any time during which the blastocyst is stored at a temperature of zero degrees centigrade or less.

(c) This subchapter does not restrict:

(1) scientific research using human somatic cell nuclear transfer technology to develop regenerative or reparative medical therapies or treatments; or

(2) any other research not specifically prohibited by this subchapter.

Sec. 161.453. CRIMINAL OFFENSE. (a) A person commits an offense if the person intentionally engages in human cloning. An offense under this subsection is a felony of the first degree.

(b) A person commits an offense if the person recklessly violates Section 161.452(b). An offense under this subsection is a Class A misdemeanor unless it is shown on the trial of the defendant that the offense was committed with the intent to engage in human cloning, in which case it is a felony of the first degree.

Sec. 161.454. RESEARCH OVERSIGHT. Research using human somatic cell nuclear transfer technology that is not prohibited by this subchapter must be:

(1) conducted with full consideration for the ethical and medical implications of the research; and

(2) reviewed, in each case, by an institutional review board for compliance with applicable state and federal law.