

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 5, 2005

TO: Honorable David Swinford, Chair, House Committee on State Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB2948 by Swinford (Relating to human cloning and the protection of certain research; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill relates to human cloning and the protection of certain research, and provides penalties. The bill would amend the Health and Safety Code by adding Chapter 168. Section 168.051 would prohibit human cloning as described in the bill. Section 168.053 imposes a criminal first-degree felony offense for intentionally violating the prohibition on human cloning. Section 168.054 imposes a civil penalty of \$1 million or three times the gross pecuniary gain resulting from the violation, whichever is greater, for intentionally violating the prohibition on human cloning.

Sections 168.103 - 168.108 prohibits certain activities and procedures related to nuclear transplantation research such as conducting nuclear transplantation on fertilized eggs, and using oocytes in nuclear transplantation research except as prescribed in the bill. The bill would impose a civil penalty of not more than \$250,000 for each violation.

The Office of the Attorney General (OAG) indicates that the bill's provisions may marginally affect the agency's workload. The OAG assumes that any additional work resulting from the passage of the bill would be absorbed within the agency's resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 537 Department of State Health Services

LBB Staff: JOB, SR, KF, RM