

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 18, 2005

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

IN RE: SB1164 by Zaffirini (Relating to prohibiting human cloning and other uses of human tissue by institutions of higher education; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill relates to prohibiting human cloning and other uses of human tissue by institutions of higher education; providing penalties. The bill amends the Education code that prohibits human cloning and other uses of human tissue. It does not restrict or prohibit scientific research, including nuclear transplantation, to develop regenerative or reparative medical therapies or treatments; however, an institutional review board for compliance with applicable state and federal laws must review such research. The bill prohibits the purchase, sale, or transfer of a human oocyte or unfertilized blastocyst, but does allow the use of an oocyte in nuclear transplantation research if the oocyte was donated voluntarily by and with the informed consent of the woman donating the oocyte.

The bill states that an institution of higher education that violates the subchapter is ineligible to receive state funds and also provides for the attorney general to sue and collect a civil penalty of not more than \$10 million for each violation. The act will take effect September 1, 2005.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 739 Texas Tech University Health Sciences Center, 763 University of North Texas Health Science Center at Fort Worth, 781 Higher Education Coordinating Board

LBB Staff: JOB, CL, RT, MM