

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 5, 2005

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

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

IN RE: SB1733 by Shapleigh (Relating to the use of certain human cells and tissue; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill relates to the use of certain human cells and tissue, 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 would impose a civil penalty of not more than \$10 million for each violation. Section 168.054 would impose a first-degree felony offense for intentionally engaging in human cloning or attempting to engage in human cloning. Otherwise, the offense would be a Class A misdemeanor.

Section 168.103 would require the Executive Commissioner of the Health and Human Services Commission to establish an advisory committee and to appoint 13 members to the committee no later than November 1, 2005.

Section 168.151 would prohibit the purchase, sell or transfer for valuable consideration a human oocyte or unfertilized blastocyst, and would impose a first-degree felony offense.

The Health and Human Services Commission indicates the bill would have a workload impact related to the advisory committee but the fiscal impact would not be significant. The Office of the Attorney General assumes that the number of cases resulting from the bill's provisions would be small. It is assumed that any cost incurred by these agencies in implementing the bill's provisions would be absorbed within each agency's existing resources.

Local Government Impact

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

Source Agencies: 302 Office of the Attorney General, 529 Health and Human Services Commission, 537 Department of State Health Services

LBB Staff: JOB, CL, SR, KF, RM