



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 499

**Assembly
Amendments 2, 3, and 4**

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Assembly Bill 499 provides that no person may knowingly do either of the following:

- Perform or attempt to perform human cloning or human parthenogenesis.
- Transfer or acquire for any purpose a human embryo produced by human cloning or human parthenogenesis or any embryo, cell, tissue, or product derived from a human embryo produced by human cloning or human parthenogenesis.

“Human cloning” is defined as asexual reproduction accomplished by introducing nuclear material from one or more human somatic cells (i.e., a cell with a complete set of chromosomes) into an enucleated oocyte so as to produce a living organism having genetic material that is virtually identical to the genetic material of an existing or previously existing human organism. **“Human parthenogenesis”** is defined as the process of manipulating the genetic material of a human oocyte, without introducing into the oocyte the genetic material from any other cell, in a way that causes the oocyte to become a human embryo.

The bill provides that a person who violates the provisions of the bill is guilty of a Class G felony, but is subject to fines ranging from \$250,000 to \$1,000,000, unless the person derives pecuniary gain from the violation. In that case, the person may be fined an amount equal to twice the gross amount of the person’s pecuniary gain or the maximum fine, whichever is greater.

Assembly Amendment 2 provides that for purposes of the provision under which it is a felony to transfer or acquire for any purpose a human embryo produced by human cloning or human parthenogenesis or any embryo, cell, tissue, or product derived from a human embryo produced by human cloning or human parthenogenesis, a person does **not** acquire an embryo, cell, tissue, or product if the embryo, cell, tissue, or product is implanted in the person’s body.

Assembly Amendment 3 adds a provision to the bill that provides that nothing in the legislation restricts areas of scientific research not specifically prohibited by the legislation, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA (deoxyribonucleic acid), cells other than human embryos, tissues, organs, plants, or animals other than humans.

Assembly Amendment 4 modifies the bill so that the prohibitions do not apply to human parthenogenesis, but only to human cloning.

Legislative History

Assembly Amendments 2, 3, and 4 were offered by Representative Kestell on June 23, 2005. The Assembly adopted Assembly Amendment 2 on a voice vote; adopted Assembly Amendment 3 on a vote of Ayes, 63; Noes, 35; and adopted Assembly Amendment 4 on a vote of Ayes, 95; Noes, 3 on June 23, 2005. Also on that date, the Assembly passed the bill, as amended, on a vote of Ayes, 59; Noes, 38; Paired, 2.

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