1997 ASSEMBLY BILL 769

February 5, 1998 – Introduced by Representatives Meyer, Kreuser, Plouff, Huebsch, Musser, Morris-Tatum, La Fave, Ladwig, Green, Hahn, Porter, Hasenohrl, Robson, Walker, Riley, L. Young, Otte, Harsdorf, Huber and Zukowski, cosponsored by Senators Welch and Zien. Referred to Committee on Health.

- 1 AN ACT to create 146.347 of the statutes; relating to: banning human cloning
- 2 and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits any person from cloning a human being or from selling or purchasing an ovum, zygote, embryo or fetus for the purpose of cloning a human being. Cloning a human being is defined in the bill as creating or attempting to create a genetic duplicate of an individual by transferring the nucleus from any cell of that individual into a human egg cell, the nucleus of which has been removed and using that human egg cell to initiate a pregnancy that could result in the birth of a human being.

Under the bill, any individual who clones a human being or who sells or purchases an ovum, zygote, embryo or fetus for the purpose of cloning a human being is subject to a forfeiture of not less than \$25,000 nor more than the greater of \$250,000 or double any monetary gain that the individual derived from the prohibited act. If the person violating the prohibition is not an individual (for example, a clinic or other institution), the penalty is a forfeiture of not less than \$100,000 nor more than the greater of \$1,000,000 or double any monetary gain that the person derived from the prohibited act.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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1	Section 1. 146.347 of the statutes is created to read:
2	146.347 Human cloning prohibited. (1) In this section, "clone a human
3	being" means create or attempt to create a genetic duplicate of an individual by
4	transferring the nucleus from any cell of that individual into a human egg cell from
5	which the nucleus has been removed and using that human egg cell to initiate a
6	pregnancy that could result in the birth of a human being.
7	(2) No person may do any of the following:
8	(a) Clone a human being.
9	(b) Purchase or sell an ovum, zygote, embryo or fetus for the purpose of cloning
10	a human being.
11	(3) (a) Any individual who violates this section shall be subject to a forfeiture
12	of not less than \$25,000 nor more than the greater of the following:
13	1. Two hundred and fifty thousand dollars.
14	2. If the individual derived pecuniary gain from the violation, an amount equal
15	to twice the gross gain.
16	(b) Any person that is not an individual that violates this section shall be
17	subject to a forfeiture of not less than \$100,000 nor more than the greater of the
18	following:
19	1. One million dollars.
20	2. If the person derived puniary gain from the violation, an amount equal to
21	twice the gross gain.
22	(4) This section does not apply beginning on the date that is 5 years from the
23	effective date of this subsection [revisor inserts date].

(END)