A bill for an act
relating to health; establishing the Human Cloning Prohibition Act; providing
penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [145.4221] HUMAN CLONING PROHIBITED.

Subdivision 1. Definitions. (a) For purposes of this section, the following terms
have the meanings given.

(b) "Human cloning" means human asexual reproduction accomplished by
introducing nuclear material from one or more human somatic cells into a fertilized
or unfertilized oocyte whose nuclear material has been removed or inactivated so as
to produce a living organism at any stage of development that is genetically virtually
identical to an existing or previously existing human organism.

(c) "Somatic cell" means a diploid cell, having a complete set of chromosomes,
obtained or derived from a living or deceased human body at any stage of development.

Subd. 2. Prohibition on cloning. No person or entity, whether public or private,
may:

(1) perform or attempt to perform human cloning;
(2) participate in an attempt to perform human cloning;
(3) ship, import, or receive for any purpose an embryo produced by human cloning
or any product derived from such an embryo; or
(4) ship or receive, in whole or in part, any oocyte, embryo, fetus, or human somatic
cell, for the purpose of human cloning.

Subd. 3. Scientific research. Nothing in this section shall restrict areas of scientific
research not specifically prohibited by this section, including research in the use of nuclear
transfer or other cloning techniques to produce molecules, DNA, cells other than human
embryos, tissues, organs, plants, or animals other than humans. In addition, nothing in this
section shall restrict, inhibit, or make unlawful the scientific field of stem cell research,
unless explicitly prohibited.

Subd. 4. Penalties. Any person or entity that knowingly or recklessly violates
subdivision 2 is guilty of a misdemeanor.

Subd. 5. Severability. If any provision, section, subdivision, sentence, clause,
phrase, or word in this section or the application thereof to any person or circumstance is
found to be unconstitutional, the same is hereby declared to be severable and the remainder
of this section shall remain effective notwithstanding such unconstitutional provision. The
legislature declares that it would have passed this section and each provision, subdivision,
sentence, clause, phrase, or word thereof, regardless of the fact that any provision, section,
subdivision, sentence, clause, phrase, or word is declared unconstitutional.

EFFECTIVE DATE. This section is effective August 1, 2011, and applies to crimes
committed on or after that date.