

EHB 1268 - S AMD 471

By Senator Stevens, Benton, Benson, Schmidt, Mulliken, Deccio,
Honeyford, Haugen, Schoesler and Zarelli

NOT ADOPTED 4/7/05

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds and declares that:

4 (1) An estimated one hundred twenty-eight million Americans suffer
5 from chronic, degenerative, and acute diseases, including diabetes,
6 Alzheimer's disease, cancer, Huntington's disease, Parkinson's disease,
7 heart disease, and spinal cord injury. The crippling economic and
8 psychological burdens of such diseases result in billions of dollars
9 every year in costs of treatment and lost productivity as well as
10 extreme human loss and emotional suffering.

11 (2) Adult stem cell research continues to offer immense promise for
12 developing new medical therapies for these debilitating diseases and a
13 critical means to explore fundamental questions of biology. Stem cell
14 research could lead to unprecedented treatments and potential cures for
15 diabetes, Alzheimer's disease, Huntington's disease, Parkinson's
16 disease, heart disease, spinal cord injury, and other diseases.

17 (3) Stem cell therapy was born in Washington state over thirty
18 years ago, with the pioneering work of nobel laureate, E. Donnall
19 Thomas, and his colleagues at the Fred Hutchinson cancer research
20 center. The Fred Hutchinson cancer research center remains the premier
21 center for adult stem cell transplantation in the world. Support for
22 adult stem cell research at this critical juncture represents a
23 commitment to continue this distinguished legacy.

24 (4) While adult stem cell research holds enormous potential for
25 treating or even curing some diseases, the cloning of human beings is
26 morally and ethically unacceptable. Furthermore, the cloning of human
27 beings poses grave health risks to any child who may be produced in
28 this manner. Any attempt to clone a human being is in direct conflict
29 with the policies of this state.

1 NEW SECTION. **Sec. 2.** The definitions in this section apply
2 throughout this chapter unless the context clearly requires otherwise.

3 (1) "Cloning of a human being" means human asexual reproduction,
4 accomplished by introducing nuclear material from one or more human
5 somatic cells into a fertilized or unfertilized oocyte whose nucleus
6 has been removed or inactivated to produce a living organism at any
7 stage of development with a human or predominantly human genetic
8 constitution that is genetically virtually identical to an existing or
9 previously existing human organism.

10 (2) "Diploid cell" means a cell which has a complete set of
11 chromosomes.

12 (3) "Human somatic cell" means a diploid cell obtained or derived
13 from a living or deceased human at any stage of development.

14 (4) "Oocyte" means the unfertilized human ovum.

15 NEW SECTION. **Sec. 3.** (1) No person may knowingly engage or assist
16 in cloning or attempted cloning of a human being.

17 (2) The attorney general may bring an action to enjoin any person from
18 violating subsection (1) of this section.

19 (3) Any person who violates subsection (1) of this section is subject
20 to a civil penalty not to exceed three hundred thousand dollars for
21 each violation. Civil penalties authorized by this subsection may be
22 imposed in any civil action brought by the attorney general.

23 (4) Any person may bring a cause of action for injunctive relief
24 against a person or entity that is reasonably believed to be about to
25 violate or is in the course of violating section (1) of this section.

26 (5) Nothing in this section shall be construed to restrict areas of
27 biomedical, agricultural, and scientific research not specifically
28 prohibited by this section, including research in the use of nuclear
29 transfer or other cloning technologies to clone molecules, DNA, cells
30 other than human embryos, tissues, organs, plants, or animals other
31 than humans.

32 NEW SECTION. **Sec. 4.** If any provision of this act or its
33 application to any person or circumstance is held invalid, the
34 remainder of the act or the application of the provision to other
35 persons or circumstances is not affected."

36 Renumber the sections consecutively and correct any internal
37 references accordingly.

1 **EHB 1268** - S AMD
2 By Senator Stevens

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4 On page 1, on line 1 of the title, after "research;", strike the
5 remainder of the title and insert "creating new sections; and
6 prescribing penalties."

« END ---

EFFECT: Prohibiting cloning of human beings, and encourages adult stem cell research.