

Appendix G – State-Level Legislative Initiatives

Enacted Legislation

Reproductive cloning

<i>State</i>	<i>Prohibited/ Allowed</i>	<i>Legislative Info</i>	<i>Year</i>	<i>Comments</i>
Arkansas	Prohibited	SB 185	2003	
California	Prohibited	Health and Safety Code: §24185, §24187, § 24189, §125115-17		
Iowa	Prohibited	707B.1 to 4	2002	
Michigan	Prohibited	§§ 333.26401-06	1998	
New Jersey	Prohibited	SB 1909 / HB 2480	2002	
North Dakota	Prohibited	HB 1424	2003	
Rhode Island	Prohibited	§ 23-16.4-1 to 4-4		Expires July 7, 2010
South Dakota	Prohibited	SB 184	2004	
Virginia	Prohibited	§ 32.1-162.21-22	2001	

Research (Therapeutic) Cloning

<i>State</i>	<i>Prohibited/ Allowed</i>	<i>Legislative Info</i>	<i>Year</i>	<i>Comments</i>
Arkansas	Prohibited	SB 185	2003	
California	Allowed	Business, Professions § 16004, §16105 Health and Safety § 24185, § 24187, § 24189, § 12115-17		
Iowa	Prohibited	707B.1 to 4	2002	
Michigan	Prohibited	§§ 333.26401-06	1998	
Missouri	Allowed	§ 1.217	2003	
New Jersey	Allowed	SB 1909 – HB 2480	2002	
North Dakota	Prohibited	HB 1424	2003	
Rhode Island	Protected	§ 23-16.4-1 to 4-4		Expires July 7, 2010
South Dakota	Prohibited	SB 184	2004	
Virginia	Protected	§ 32.1-162.21-22	2001	

Stem Cell Research (explicitly)

<i>State</i>	<i>Prohibited/ Allowed</i>	<i>Legislative Info</i>	<i>Year</i>	<i>Comments</i>
California	Allowed	Health and Safety § 125300-320		Under the supervision of an institutional review board, registry for embryos to be established

Iowa	Prohibited	§§ 707B.1-4	2002	Prohibits research on human embryos or cells
Minnesota	Prohibited	§§ 145.421, 422	1973/ 2003	Prohibits any experimentation or sale of "human conceptus," artificial or natural, from fertilization through first 265 days
Nebraska	Allowed	§§ 28-342, 346, 71-7606	1977/ 2000	Prohibits research on premature infants aborted alive, prohibits use of state funds for research involving human embryonic stem cells
New Hampshire	Allowed	§§ 168-B-1, 15	1991	Pre-embryo may not be maintained ex utero past 14 days after fertilization, donated pre-embryos for research must not be implanted
New Jersey	Allowed	SB 1909/ AB 2840	2002	Explicitly permits stem cell research, subject to supervision by a review board
South Dakota	Prohibited	§§ 34-14-16, 17, 20; 34-23A-17	2000	Prohibits non-therapeutic research on embryo which destroys or threatens to destroy it (from single-cell stage onward), prohibits research on aborted child

Embryonic Research (in general)

<i>State</i>	<i>Legislative Info</i>	<i>Year</i>	<i>Comments</i>
Arizona	§§ 36-2302, 2303		Prohibits use of embryos (or parts) from abortion
Arkansas	§§ 20-17-802, 20-161001 to 1004		Prohibits research on cloned embryos
California	§§ 123440, 24185, 12115-7		Prohibits research on live fetuses, reproductive cloning, specifically permits embryonic research (by donation, IVF)
Florida	§ 390.0111		Abortion Law Prohibits research on aborted live fetus
Illinois	720 ILCS 510/6, 510/12.1	1975	Abortion Law Prohibits research on fertilized embryo, Allows research on dead material
Indiana	§ 35-46-5-1	2004	Prohibits human tissue trafficking
Kentucky	§ 436.026	1992	Prohibits use/ transfer of dead or aborted child
Louisiana	§ 14: 87.2		Prohibits research on embryo or fetus in utero, in vitro fertilized embryo
Maine	22 § 1593	1989/ 2003	Prohibits research on any live product of conception, intra- and extra-uterine
Massachusetts	112 § 12J		Prohibits research on aborted embryo/ live fetus
Michigan	§§ 333.2685, 2687	1978	Prohibits non-therapeutic research on aborted embryo/ live fetus
Missouri	§§ 188.036, 037	2003	Prohibits any type of research on fetus or aborted child, or sale of tissue
Montana	§ 50-20-108(3)	1987	Prohibits research on premature infant born alive
New Mexico	§ 24-9A-1, 3, 5		Prohibits research on embryo/ fetus after implantation
North Dakota	§ 14-02.2-01, 2; HB 1424	2003	Prohibits research on live human fetus or embryo, or use of tissue or organs from an aborted one.

Ohio	§ 2919.14	1974	Prohibits research on product of human conception which is aborted
Oklahoma	63 § 1-735		Prohibits experimentation, sale, etc. on an unborn child which is resulting from or intended for abortion
Pennsylvania	18 §§ 3203, 3216	1997	Prohibits non-therapeutic research (= other than for health of) unborn live child
Rhode Island	§11-54-1		Prohibits any kind of experimentation on live human fetus or embryo, before or after implantation
Tennessee	§ 39-15-208	1989	Consent of mother required for research, sale etc. on aborted fetus
Texas	Penal Code § 48.02	1994	Prohibits purchase/ sale of human organs or tissue
Utah	§§ 76-7-301, 310	1976/ 2004	Prohibits research on live unborn children
Virginia	§ 32.1-162.32-2	1979/ 2002	Human research prohibited unless by informed consent of the "subject" to it, establishes Human Research Review Committee
Wyoming	§ 35-6-115		Prohibits sale/ transfer/ distribution of human embryo or fetus for any experimentation

Pending Legislation

<i>State</i>	<i>Title</i>	<i>Legislative Info</i>	<i>Year</i>	<i>Scope</i>
California		AB 3012, AB 267	2004, 2003	Allows stem cell research, calls for establishment of advisory committee, Allows therapeutic cloning
Illinois	Stem Cell Research Act	HB 3589	2004	Allows stem cell research under supervision of a committee yet to be created, prohibits sale or purchase of material, "unused embryos" decided upon by individual
Illinois	Human Cloning and Adult Stem Cell Act	HB 6693/ SB 2934	2004	Prohibits reproductive and research cloning, allows cloning techniques for reproduction of tissues
Massachusetts		HB 2052/ SB 515, SB 1917, HB 1280, HB 2048	2004 2003 2003 2003	Allows stem cell research under supervision of a committee yet to be created, calls for research fund, prohibits sale or purchase, prohibits reproductive and research cloning
Michigan		SB 249	2003	Prohibition of non-therapeutic research on embryos or tissue, if life is jeopardized
Michigan		HB 4507, HB 606	2003	Prohibits sale, transfer of embryos, tissues and cells and use of such illegally obtained material
New Jersey		AB 160	2004	Regulates disclosure of genetic information, protects individual rights
New Jersey		AB 2388	2004	Prohibits human reproductive and research cloning, prohibits reprogramming of DNA, etc. back to

New York		AB 1819, SB 7064, SB 7524,	2003/ 2004	initial stage of human being Allows stem cell research, subject to review by institutional review board, embryo must not develop beyond 14 days, regulates storage and disposition, prohibits sale of stem cells and tissue, prohibits human cloning
New York	Reproductive Cloning Prohibition and Research Protection Act	AB 6249, AB 3295	2003	Prohibits reproductive cloning while allowing stem cell research and therapeutic cloning, creates legislative commission on cloning
New York		AB 4533, AB 10256	2003 2004	Prohibits human cloning, no differentiation reproductive/therapeutic
Pennsylvania	Stem Cell Research Act	HB 422	2003	Allows research on embryonic stem cell, subject to review by DOH
Pennsylvania	Stem Cell Research Authorization Act	HB 945	2003	Source of embryonic stem cells can only be public or private fertility clinics (“unused”), written consent required, research must not have reproductive purposes

Legislation that Has Died or Was Withdrawn

<i>State</i>	<i>Title</i>	<i>Legislative Info</i>	<i>Year</i>	<i>Scope</i>
Alabama		HB 282		Limits stem cell research
Arizona		HB 2685		Limits stem cell research
Connecticut		HB 5536		Allows stem cell research
Delaware	Cloning Prohibition and Research Protection Bill	SB 55	2004	Prohibits reproductive cloning (purpose is actual birth), allows cloning techniques for biomedical research
Florida		SB 2558		Limits stem cell research
Indiana		SB 162		Limits stem cell research
Iowa		HB 2032, SB 2013		Limit stem cell research
Kansas		HB 2647		Limits stem cell research
Kentucky		HB 170, HB 171		Limit stem cell research
Louisiana	Human Cloning Ban and Adult Stem Cell Research Promotion Act	HB 557, SB 74 HB 803/ SB 873	2004	Very explicitly prohibits any kind of cloning, establishes harsh penalties
Maryland		HB 1021, HB 482		Allows stem cell research
Maryland		SB 472		Limits stem cell research
Minnesota		HB 2049, SB 2077 SB 2635		Allows stem cell research
Minnesota		HB 2026, SB 2129		Limit stem cell research
Mississippi		HB 727		Limits stem cell research
Missouri		HB 1136, HB 1151		Regulates disposition of fetal remains, right of mother to determine
Nebraska		LB 566, LB 602,		Limit stem cell research

Oklahoma	LB 512		Limit stem cell research
Rhode Island	HB 1130, SB 1607		Allows stem cell research
South Carolina	SB 266, SB 2318		Limits stem cell research
Tennessee	HB 3819		Limit stem cell research
Tennessee	HB 1075, SB 1515		Allow stem cell research
Washington	HB 945, SB 1654		Allow stem cell research
	HB 2336, HB 1461,		
	SB 5466		
West Virginia	HB 4487, SB 426,		Limit stem cell research
	HB 2832, SB 25,		
	SB 78		
Wisconsin	AB 104/	2003	Prohibits human cloning and parthenogenesis, for reproductive or research purposes,
	SB 45,		Specifically prohibits non-therapeutic cloning
	AB 246		