

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 700**

Introduced by Christensen, 44; Burling, 33; Carlson, 38; Dierks, 40; Dubas, 34; Engel, 17; Erdman, 47; Flood, 19; Friend, 10; Fulton, 29; Hansen, 42; Harms, 48; Heidemann, 1; Hudkins, 21; Langemeier, 23; Lathrop, 12; Nelson, 6; Pedersen, 39; Pirsch, 4; Preister, 5; Wallman, 30; Wightman, 36

Read first time January 17, 2007

Committee: Judiciary

A BILL

1 FOR AN ACT relating to crimes and offenses; to amend section  
2 28-101, Revised Statutes Cumulative Supplement, 2006;  
3 to adopt the Human Cloning Prohibition Act; to provide  
4 a penalty; to harmonize provisions; and to repeal the  
5 original section.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 28-101, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           28-101 Sections 28-101 to 28-1350 and sections 2 to 6 of  
4 this act shall be known and may be cited as the Nebraska Criminal  
5 Code.

6           Sec. 2. Sections 2 to 6 of this act shall be known and  
7 may be cited as the Human Cloning Prohibition Act.

8           Sec. 3. The intent of the Human Cloning Prohibition Act  
9 is to ban all human cloning. The intent is not to restrict areas  
10 of scientific research not specifically prohibited by the act,  
11 including research in the use of nuclear transfer or other cloning  
12 techniques to produce molecules, deoxyribonucleic acid, tissues,  
13 organs, plants, cells other than human embryos, or animals other  
14 than humans.

15           Sec. 4. For purposes of the Human Cloning Prohibition  
16 Act:

17           (1) Asexual reproduction means reproduction not initiated  
18 by the union of oocyte and sperm;

19           (2) Deliver means the actual, constructive, or attempted  
20 transfer from one person to another;

21           (3) Human cloning means human asexual reproduction  
22 accomplished by introducing nuclear material from one or more  
23 human somatic cells into a fertilized or unfertilized oocyte whose  
24 nuclear material has been removed or inactivated so as to produce a  
25 living organism, at any stage of development, that is genetically

1 virtually identical to an existing or previously existing human  
2 organism; and

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

6 Sec. 5. No person shall knowingly:

7 (1) Perform human cloning; or

8 (2) Deliver or receive any embryo or fetus, produced by  
9 or from human cloning, for research purposes.

10 Sec. 6. Any person violating the Human Cloning  
11 Prohibition Act is guilty of a Class IV felony.

12 Sec. 7. Original section 28-101, Revised Statutes  
13 Cumulative Supplement, 2006, is repealed.