

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 1040

Short Title: Prohibit Human Cloning.

(Public)

Sponsors: Senators Berger of Rockingham; and Brock.

Referred to: Health Care.

March 24, 2005

A BILL TO BE ENTITLED
AN ACT TO PROHIBIT HUMAN CLONING.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 14 of the General Statutes is amended by adding the following new Article to read:

"Article 62.

"Human Cloning.

"§ 14-465. Human cloning.

(a) If a person knowingly does any of the following, the person shall be punished as a Class H felon:

(1) Clones a human being, participates in cloning a human being, or attempts to clone a human being.

(2) Uses public funds or public facilities to clone a human being or to attempt to clone a human being.

(3) As a public employee, allows any person to clone a human being or to attempt to clone a human being while the person is making use of public funds or public facilities.

(b) As used in this section, the term:

(1) "Clone a human being" or "Cloning a human being" means the creation of a human being by any means other than by the fertilization of an oocyte of a human female by a sperm of a human male.

(2) "Public employee" means any person employed by the State or any agency or political subdivision of the State.

(3) "Public facility" means any institution, equipment, or physical asset owned, leased, or controlled by the State or any agency or political subdivision of the State.

(4) "Public funds" means any monies received or controlled by the State or any agency or political subdivision of the State, including monies

1 derived from federal, State, or local taxes, gifts or grants from any
2 source, federal grants or payments, or intergovernmental transfers."

3 **SECTION 2.** This act becomes effective December 1, 2005, and applies to
4 offenses committed on and after that date.