

As Introduced

**128th General Assembly
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S. B. No. 243

Senator Buehrer

**Cosponsors: Senators Carey, Coughlin, Faber, Gibbs, Grendell, Jones,
Schaffer**

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A B I L L

To amend section 3701.99 and to enact sections 1
3701.94 and 3701.95 of the Revised Code to 2
prohibit human cloning, the creation, 3
transportation, or receipt of a human-animal 4
hybrid, the transfer of a nonhuman embryo into a 5
human womb, and the transfer of a human embryo 6
into a nonhuman womb. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3701.99 be amended and sections 8
3701.94 and 3701.95 of the Revised Code be enacted to read as 9
follows: 10

Sec. 3701.94. (A) As used in this section: 11

(1) "Asexual reproduction" means the creation of a human 12
zygote, human blastocyst, or human embryo by any means other than 13
fertilization of a human egg by a human sperm. 14

(2) "DNA" means human deoxyribonucleic acid. 15

(3) "Human blastocyst" means an early stage human embryo that 16
is five to seven days after conception. A blastocyst has an outer 17

layer of cells known as the trophoblast and an interior group of 18
cells that is the inner cell mass. 19

(4) "Human cloning" means the use of asexual reproduction to 20
create a human zygote, human blastocyst, or human embryo that is 21
genetically virtually identical to an existing or previously 22
existing human organism. 23

(5) "Human embryo" means an organism of the species homo 24
sapiens during the earliest stages of development from one cell up 25
to eight weeks. 26

(6) "Human zygote" means a one-cell human embryo. 27

(B) No person or governmental entity shall knowingly do any 28
of the following in this state: 29

(1) Perform or attempt to perform human cloning; 30

(2) Participate in the performance or attempted performance 31
of human cloning; 32

(3) Send or receive a human embryo that is produced by human 33
cloning. 34

Sec. 3701.95. (A) As used in this section: 35

(1) "Human-animal hybrid" means any of the following: 36

(a) A human embryo into which a nonhuman cell or a component 37
of a nonhuman cell is introduced so that it is uncertain whether 38
the human embryo is a member of the species homo sapiens; 39

(b) A hybrid human-animal embryo produced by fertilizing a 40
human egg with a nonhuman sperm; 41

(c) A hybrid human-animal embryo produced by fertilizing a 42
nonhuman egg with a human sperm; 43

(d) An embryo produced by introducing a nonhuman nucleus into 44
a human egg; 45

(e) An embryo produced by introducing a human nucleus into a nonhuman egg; 46
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(f) An embryo containing at least haploid sets of chromosomes from both a human and a nonhuman life form; 48
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(g) A nonhuman life form engineered such that human gametes develop within the body of a nonhuman life form; 50
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(h) A nonhuman life form engineered such that it contains a human brain or a brain derived wholly or predominately from human neural tissues. 52
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(2) "Human embryo" means an organism of the species homo sapiens during the earliest stages of development from one cell up to eight weeks. 55
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(B) No person shall knowingly do any of the following: 58

(1) Create or attempt to create a human-animal hybrid; 59

(2) Transfer or attempt to transfer a human embryo into a nonhuman womb; 60
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(3) Transfer or attempt to transfer a nonhuman embryo into a human womb; 62
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(4) Transport or receive for any purpose a human-animal hybrid. 64
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(C) Nothing in this section prohibits either of the following: 66
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(1) Research involving the use of transgenic animal models containing human genes; 68
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(2) Xenotransplantation of human organs, tissues, or cells into recipient animals other than animal embryos. 70
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Sec. 3701.99. (A) Whoever violates division (C) of section 3701.23, division (C) of section 3701.232, division (C) of section 72
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3701.24, division (B) of section 3701.25, division (I) of section 74
3701.262, division (D) of section 3701.263, or sections 3701.46 to 75
3701.55 of the Revised Code is guilty of a minor misdemeanor on a 76
first offense; on each subsequent offense, the person is guilty of 77
a misdemeanor of the fourth degree. 78

(B) Whoever violates section 3701.82 of the Revised Code is 79
guilty of a misdemeanor of the first degree. 80

(C) Whoever violates section 3701.352 or 3701.81 of the 81
Revised Code is guilty of a misdemeanor of the second degree. 82

(D) Whoever violates section 3701.94 or 3701.95 of the 83
Revised Code shall be subject to the following: 84

(1) A term of imprisonment of not more than five years; 85

(2) If the offender derives pecuniary gain as a result of the 86
violation, a fine of not less than one million dollars and not 87
more than an amount equal to two times the amount of the gross 88
pecuniary gain if that amount is more than one million dollars. 89

Section 2. That existing section 3701.99 of the Revised Code 90
is hereby repealed. 91