

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**S. B. No. 174**

**Senator Buehrer**

**Cosponsors: Senators Carey, Coughlin, Gardner, Schuler**

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**A B I L L**

To amend section 3701.99 and to enact section 3701.94 1  
of the Revised Code to prohibit human cloning. 2

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

**Section 1.** That section 3701.99 be amended and section 3  
3701.94 of the Revised Code be enacted to read as follows: 4

**Sec. 3701.94.** (A) As used in this section: 5

(1) "DNA" means human deoxyribonucleic acid. 6

(2) "Human blastocyst" means an early stage human embryo that 7  
is five to seven days after conception. A blastocyst has an outer 8  
layer of cells known as the trophoblast, and an interior group of 9  
cells that is the inner cell mass. 10

(3) "Human cloning" means the creation of a human zygote, 11  
human blastocyst, or human embryo by any means other than the 12  
fertilization of a human egg by a human sperm. 13

(4) "Human embryo" means an organism of the species homo 14  
sapiens during the earliest stages of development from one cell up 15  
to eight weeks. 16

(5) "Human zygote" means a one-cell human embryo. 17

(B) Except as provided in division (C) of this section, no person or governmental entity shall knowingly do any of the following: 18  
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(1) Perform or attempt to perform human cloning; 21

(2) Participate in the performance or attempted performance of human cloning; 22  
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(3) Send or receive a human embryo that is produced by human cloning or any product derived from that embryo. 24  
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(C) Nothing in this section shall restrict the areas of scientific research that do not involve the creation or use of a human embryo produced by human cloning or any product derived from a human embryo produced by human cloning. The areas of research that are not restricted by this section include, but are not limited to, the use of nuclear transfer or other cloning techniques to produce molecules, DNA, tissues, organs, plants, animals other than humans, or cells other than human embryos. 26  
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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 3701.24, division (B) of section 3701.25, division (I) of section 3701.262, division (D) of section 3701.263, or sections 3701.46 to 3701.55 of the Revised Code is guilty of a minor misdemeanor on a first offense; on each subsequent offense, the person is guilty of a misdemeanor of the fourth degree. 34  
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(B) Whoever violates section 3701.82 of the Revised Code is guilty of a misdemeanor of the first degree. 41  
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(C) Whoever violates section 3701.352 or 3701.81 of the Revised Code is guilty of a misdemeanor of the second degree. 43  
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(D) Whoever violates section 3701.94 of the Revised Code shall be subject to the following: 45  
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(1) A term of imprisonment of not more than two years; 47

(2) If the offender derives pecuniary gain as a result of the 48  
violation, a fine of not less than two hundred fifty thousand 49  
dollars and not more than an amount equal to two times the amount 50  
of the gross pecuniary gain if that amount is more than two 51  
hundred fifty thousand dollars. 52

**Section 2.** That existing section 3701.99 of the Revised Code 53  
is hereby repealed. 54