

January 29, 1998

HOUSE BILL No. 1408

DIGEST OF HB 1408 (Updated January 27, 1998 9:07 pm - DI 77)

Citations Affected: IC 4-7; IC 36-2.

Synopsis: Defines cloning as the growing or creation of a human being from a single cell or cells of a genetically identical human being through asexual reproduction. Provides that the term does not apply to techniques of assisted reproductive technology. Provides that cloning is against the public policy of Indiana. Prohibits the auditor of state and each county auditor from releasing or transferring funds to any person that performs research regarding or an activity facilitating the cloning or attempted cloning of a human being. Provides that this prohibition is retroactive to the date on which the prohibited activity began and ends two years after the person stops performing the prohibited activity.

Effective: July 1, 1998.

C. Brown

January 13, 1998, read first time and referred to Committee on Public Health.
January 28, 1998, amended, reported — Do Pass.

HB 1408—LS 6389/DI 13



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January 29, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1408

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-7-1-18 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 18. (a) This section applies to a person that**
4 **receives or is entitled to receive state funds or federal funds that**
5 **are controlled by the state.**
6 (b) As used in this section, "cloning" means the growing or
7 creation of a human being from a single cell or cells of a genetically
8 identical human being through asexual reproduction. The term
9 does not include a treatment or procedure to enhance human
10 reproductive capability through the manipulation of human
11 oocytes or embryos, including the following:
12 (1) In vitro fertilization.
13 (2) Gamete intrafallopian transfer.
14 (3) Zygote intrafallopian transfer.
15 (c) Cloning is against the public policy of Indiana.
16 (d) The auditor of state may not draw warrants on the treasurer
17 of state or authorize disbursement through electronic funds

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1 transfer in conformity with IC 4-8.1-2-7 to a person that performs:

2 (1) research regarding; or

3 (2) an activity facilitating;

4 the cloning or attempted cloning of a human being.

5 (e) The prohibition under subsection (d):

6 (1) is retroactive to the date on which an activity described in
7 subsection (d)(1) or (d)(2) began; and

8 (2) ends two (2) years after the date the entity no longer
9 performs an activity described in subsection (d)(1) or (d)(2).

10 SECTION 2. IC 36-2-9-20 IS ADDED TO THE INDIANA CODE
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
12 UPON PASSAGE]: Sec. 20. (a) This section applies to a person that
13 receives or is entitled to receive funds controlled by the county.

14 (b) As used in this section, "cloning" means the growing or
15 creation of a human being from a single cell or cells of a genetically
16 identical human being through asexual reproduction. The term
17 does not include a treatment or procedure to enhance human
18 reproductive capability through the manipulation of human
19 oocytes or embryos, including the following:

20 (1) In vitro fertilization.

21 (2) Gamete intrafallopian transfer.

22 (3) Zygote intrafallopian transfer.

23 (c) Cloning is against the public policy of Indiana.

24 (d) The county auditor may not draw warrants on the county
25 treasurer on behalf of a person that performs:

26 (1) research regarding; or

27 (2) an activity facilitating;

28 the cloning or attempted cloning of a human being.

29 (e) The prohibition under subsection (d):

30 (1) is retroactive to the date on which an activity described in
31 subsection (d)(1) or (d)(2) began; and

32 (2) ends two (2) years after the date the entity no longer
33 performs an activity described in subsection (d)(1) or (d)(2).

34 SECTION 3. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1408, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and local government.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to House Bill 1408 as introduced.)

CRAWFORD, Chair

Committee Vote: yeas 13, nays 0.

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