

HOUSE BILL 871

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71r2146

By: **Delegates McComas, Anderson, Bartlett, Burns, Costa, DeBoy, Dwyer, Eckardt, Elliott, Frank, George, Haddaway, McConkey, Myers, Oaks, Shewell, Smigiel, Sossi, Stocksdales, Taylor, Walkup, and Wood**

Introduced and read first time: February 9, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Human Hybridization Prohibition Act of 2007**

3 FOR the purpose of prohibiting a person from performing certain acts that result in
4 the creation of an embryo with a predominantly or partially human genetic
5 constitution; prohibiting a person from soliciting or knowingly creating or
6 acquiring certain organisms, tissue, or cells; establishing certain criminal
7 penalties; defining certain terms; and generally relating to prohibiting
8 hybridization of humans and nonhumans.

9 BY adding to

10 Article – Criminal Law

11 Section 10–801 through 10–803 to be under the new subtitle “Subtitle 8. Human
12 Hybridization Prohibition Act”

13 Annotated Code of Maryland

14 (2002 Volume and 2006 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Law**

18 **SUBTITLE 8. HUMAN HYBRIDIZATION PROHIBITION ACT.**

19 **10–801.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) "HUMAN SOMATIC CELL" MEANS A DIPLOID CELL HAVING A
4 COMPLETE SET OF CHROMOSOMES OBTAINED OR DERIVED FROM A LIVING OR
5 DECEASED HUMAN BODY AT ANY STAGE OF DEVELOPMENT.

6 (C) "NUCLEUS" MEANS THE CELL STRUCTURE THAT HOUSES THE
7 CHROMOSOMES.

8 (D) "OOCYTE" MEANS A FEMALE GERM CELL OR EGG.

9 **10-802.**

10 (A) A PERSON MAY NOT:

11 (1) FERTILIZE AN OOCYTE FROM A HUMAN WITH THE SPERM
12 FROM A NONHUMAN TO PRODUCE AN EMBRYO THAT HAS A PREDOMINANTLY OR
13 PARTIALLY HUMAN GENETIC CONSTITUTION;

14 (2) FERTILIZE AN OOCYTE FROM A NONHUMAN WITH THE SPERM
15 FROM A HUMAN TO PRODUCE AN EMBRYO THAT HAS A PREDOMINANTLY OR
16 PARTIALLY HUMAN GENETIC CONSTITUTION; OR

17 (3) CREATE AN EMBRYO THAT HAS A PREDOMINANTLY OR
18 PARTIALLY HUMAN GENETIC CONSTITUTION BY INTRODUCING THE NUCLEAR
19 MATERIAL OF ONE OR MORE HUMAN SOMATIC CELLS INTO A FERTILIZED OR
20 UNFERTILIZED OOCYTE, THE NUCLEUS OF WHICH HAS BEEN OR WILL BE
21 REMOVED OR RENDERED INERT.

22 (B) A PERSON MAY NOT SOLICIT OR KNOWINGLY CREATE OR ACQUIRE:

23 (1) AN ORGANISM, TISSUE, OR CELL CREATED BY FERTILIZING AN
24 OOCYTE FROM A HUMAN WITH THE SPERM FROM A NONHUMAN;

25 (2) AN ORGANISM, TISSUE, OR CELL CREATED BY FERTILIZING AN
26 OOCYTE FROM A NONHUMAN WITH THE SPERM FROM A HUMAN; OR

1 **(3) AN ORGANISM, TISSUE, OR CELL CREATED BY INTRODUCING**
2 **THE NUCLEAR MATERIAL OF ONE OR MORE HUMAN SOMATIC CELLS INTO A**
3 **FERTILIZED OR UNFERTILIZED OOCYTE, THE NUCLEUS OF WHICH HAS BEEN**
4 **REMOVED OR RENDERED INERT.**

5 **10-803.**

6 **A PERSON WHO VIOLATES THIS SUBTITLE IS GUILTY OF A FELONY AND ON**
7 **CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A**
8 **FINE NOT EXCEEDING \$200,000 OR BOTH.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2007.