

As Passed by the Senate

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Senator Buehrer

Cosponsors: Senators Carey, Coughlin, Faber, Gibbs, Grendell, Jones,
Schaffer, Cates, Harris, Hughes, Niehaus, Patton, Schuring, Wagoner,
Widener, Seitz

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A B I L L

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

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

Section 1. That section 3701.99 be amended and section 7
3701.95 of the Revised Code be enacted to read as follows: 8

Sec. 3701.95. (A) As used in this section: 9

(1) "Human-animal hybrid" means any of the following: 10

(a) A human embryo into which a nonhuman cell or a component 11
of a nonhuman cell is introduced so that it is uncertain whether 12
the human embryo is a member of the species homo sapiens; 13

(b) A hybrid human-animal embryo produced by fertilizing a 14
human egg with a nonhuman sperm; 15

(c) A hybrid human-animal embryo produced by fertilizing a 16

<u>nonhuman egg with a human sperm;</u>	17
<u>(d) An embryo produced by introducing a nonhuman nucleus into a human egg;</u>	18
<u>(e) An embryo produced by introducing a human nucleus into a nonhuman egg;</u>	20
<u>(f) An embryo containing at least haploid sets of chromosomes from both a human and a nonhuman life form;</u>	22
<u>(g) A nonhuman life form engineered with the intention of generating functional human gametes within the body of a nonhuman life form;</u>	24
<u>(h) A nonhuman life form engineered such that it contains a human brain or a brain derived wholly from human neural tissues.</u>	27
<u>(2) "Human embryo" means an organism of the species homo sapiens during the earliest stages of development from one cell up to eight weeks.</u>	29
<u>(B) No person shall knowingly do any of the following:</u>	32
<u>(1) Create or attempt to create a human-animal hybrid;</u>	33
<u>(2) Transfer or attempt to transfer a human embryo into a nonhuman womb;</u>	34
<u>(3) Transfer or attempt to transfer a nonhuman embryo into a human womb;</u>	36
<u>(4) Transport or receive for any purpose a human-animal hybrid.</u>	38
<u>(C) Nothing in this section prohibits any of the following:</u>	40
<u>(1) Research involving the use of transgenic animal models containing human genes;</u>	41
<u>(2) Xenotransplantation of human organs, tissues, or cells into recipient animals, including animals at any stage of development prior to birth, so long as the xenotransplantation</u>	43

does not violate a prohibition in division (B) of this section; 46

(3) An individual from receiving organs, tissues, or cells 47

delivered from outside of this state. 48

Sec. 3701.99. (A) Whoever violates division (C) of section 49
3701.23, division (C) of section 3701.232, division (C) of section 50
3701.24, division (B) of section 3701.25, division (I) of section 51
3701.262, division (D) of section 3701.263, or sections 3701.46 to 52
3701.55 of the Revised Code is guilty of a minor misdemeanor on a 53
first offense; on each subsequent offense, the person is guilty of 54
a misdemeanor of the fourth degree. 55

(B) Whoever violates section 3701.82 of the Revised Code is 56
guilty of a misdemeanor of the first degree. 57

(C) Whoever violates section 3701.352 or 3701.81 of the 58
Revised Code is guilty of a misdemeanor of the second degree. 59

(D) Whoever violates section 3701.95 of the Revised Code 60
shall be subject to the following: 61

(1) A term of imprisonment of not more than one year; 62

(2) If the offender derives pecuniary gain as a result of the 63
violation, a fine of not less than two hundred fifty thousand 64
dollars and not more than five hundred thousand dollars. 65

Section 2. That existing section 3701.99 of the Revised Code 66
is hereby repealed. 67