



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4162

Introduced 10/27/2005, by Rep. Randall M. Hultgren - Brandon W. Phelps - Mike Bost, Robert W. Churchill, Shane Cultra, et al.

SYNOPSIS AS INTRODUCED:

New Act

Creates the Human Embryo Protection Act. Provides that the State, units of local government, school districts, and community college districts may not use or allow the use of public funds, property, or credit for certain human embryo research activities, including stem cell extraction. Preempts home rule. Effective immediately.

LRB094 14971 BDD 50062 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Human
5 Embryo Protection Act.

6 Section 5. Ban on the use of public assets in human embryo
7 research activities.

8 (a) Notwithstanding any other provision of law, the State,
9 units of local government, school districts, and community
10 college districts may not use or allow the use of public funds,
11 property, or credit for any of the following:

12 (1) the creation of a human embryo for research
13 purposes; or

14 (2) research in which a human embryo is destroyed,
15 discarded, or knowingly subjected to a risk of injury or
16 death greater than that risk allowed for research on
17 fetuses in utero.

18 The prohibition under this Section specifically includes,
19 without limitation, the extraction of stem cells from a human
20 embryo by somatic cell nuclear transfer or by any other means.

21 (b) For purposes of this Act, the term "human embryo"
22 includes any organism, from the single-cell stage to 8 weeks
23 development, that is derived by fertilization,
24 parthenogenesis, cloning, or any other means from one or more
25 human gametes (sperm or egg) or human diploid cells (cells that
26 have two sets of chromosomes, such as somatic cells).

27 (c) Nothing in this Section restricts the use of public
28 funds, property, or credit in areas of scientific research that
29 are not specifically prohibited under subsection (a),
30 including in vitro fertilization, the administration of
31 fertility enhancing drugs, research in the use of nuclear
32 transfer or other cloning techniques to produce molecules, DNA,

1 tissues, organs, plants, or animals other than humans, or cells
2 other than human embryos.

3 Section 15. Home rule preemption. The regulation of the use
4 of public funds, property, or credit for human embryo research
5 activities is the exclusive power and function of the State. A
6 home rule unit may not act in a manner inconsistent with this
7 Act. This subsection is a denial and limitation of home rule
8 powers and function under subsection (h) of Section 6 of
9 Article VII of the Illinois Constitution.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.