



Sen. Bill Brady

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1 AMENDMENT TO SENATE BILL 4

2 AMENDMENT NO. _____. Amend Senate Bill 4 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Adult
5 Stem Cell Research and Human Cloning Prohibition Act.

6 Section 5. Policy permitting research. The policy of the
7 State of Illinois shall be as follows:

8 (1) Research involving the derivation and use of human
9 adult stem cells from any source shall be permitted and the
10 ethical and medical implications of this research shall be
11 given full consideration.

12 (2) Research involving the derivation and use of human
13 adult stem cells shall be allowed to receive public funds
14 through a program established specifically for the purpose of
15 supporting adult stem cell research in Illinois under the
16 Department of Public Health.

1 (3) Adult stem cell research is considered valuable to the
2 health and well being of all and the unhindered distribution of
3 research materials to all qualified investigators engaged in
4 non-commercial research shall be encouraged within the
5 confines of the law.

6 Section 10. Definitions. As used in this Act:

7 "Department" means the Department of Public Health.

8 "Institute" means the Illinois Regenerative Medicine
9 Institute.

10 "Committee" means the Illinois Regenerative Medicine
11 Institute Oversight Committee.

12 Section 15. Department grant program.

13 (a) The Department of Public Health shall develop and
14 administer the Illinois Regenerative Medicine Institute
15 Program within the Department to provide for the awarding of
16 grants to Illinois medical research institutions.

17 (b) The purposes of the Institute grant program are:

18 (1) to improve the health of the citizens of Illinois
19 through adult stem cell research;

20 (2) to improve the national competitive position of
21 Illinois in the field of regenerative medicine; and

22 (3) to promote the translation of adult stem cell
23 research into clinical practice and the transfer of
24 technology to biomedical and technological industry.

1 (c) The Department shall adopt rules for the implementation
2 of the Institute grant program, including but not limited to:

3 (1) rules for the solicitation of proposals for grants;

4 (2) rules concerning the eligibility of nonprofit
5 Illinois medical research institutions to receive awards
6 under the Institute grant program;

7 (3) rules for the conduct of competitive and scientific
8 peer review of all proposals submitted under the Institute
9 grant program;

10 (4) rules for the procurement of materials for the
11 conduct of adult stem cell research, including rules
12 ensuring that persons are empowered to make voluntary and
13 informed decisions to participate or to refuse to
14 participate in such research, and ensuring confidentiality
15 of such decisions; and

16 (5) rules concerning the monitoring of funded research
17 to ensure the researcher is following current best
18 practices with respect to medical ethics, including
19 informed consent of patients and the protection of human
20 subjects.

21 Section 20. Illinois Regenerative Medicine Institute
22 Oversight Committee.

23 (a) The Illinois Regenerative Medicine Institute Oversight
24 Committee shall be established to determine the awards under
25 the Institute grant program. The Committee shall be composed of

1 7 members appointed by the Governor, with the advice and
2 consent of the Senate.

3 (b) The Committee shall consist of individuals from:

4 (1) professional medical organizations;

5 (2) voluntary health organizations; and

6 (3) for-profit biomedical or biotechnology industry.

7 (c) The Committee shall at all times include at least one
8 member from each of the 3 categories listed in subsection (b)
9 of this Section.

10 (d) No member of the Committee shall be employed by an
11 Illinois medical research institution eligible to receive
12 awards under the Institute grant program.

13 (e) Upon appointment, the Governor shall designate 3
14 members to serve a 2-year term and 4 members to serve a 4-year
15 term. The Committee shall designate a Chairperson,
16 Vice-Chairperson, and Secretary. Any vacancy occurring in the
17 membership of the Committee shall be filled in the same manner
18 as the original appointment.

19 (f) No member of the Committee may receive compensation for
20 his or her services, but each member may be reimbursed for
21 expenses incurred in the performance of his or her duties.

22 (g) The duties and responsibilities of the Committee shall
23 include, but not be limited to:

24 (1) determination of awards under the Institute grant
25 program, based on recommendations developed under the
26 competitive and scientific peer review process provided

1 for in subdivision (c) (3) of Section 15 of this Act;

2 (2) review of the Department's solicitation and
3 scientific peer review processes to ensure that the
4 statutory purposes of the Institute grant program are met;

5 (3) development, in cooperation with Department staff,
6 of general guidelines for the conduct of funded research
7 according to current best practices with respect to medical
8 ethics; and

9 (4) advice on the future conduct of the Institute grant
10 program.

11 Section 25. Conflict of interest.

12 (a) A person has a conflict of interest if any Committee
13 action with respect to a matter may directly or indirectly
14 financially benefit any of the following:

15 (1) That person.

16 (2) That person's spouse, immediate family living with
17 that person, or that person's extended family.

18 (3) Any individual or entity required to be disclosed
19 by that person.

20 (4) Any other individual or entity with which that
21 person has a business or professional relationship.

22 (b) A Committee member who has a conflict of interest with
23 respect to a matter may not discuss that matter with other
24 Committee members and shall not vote upon or otherwise
25 participate in any Committee action with respect to that

1 matter. Each recusal occurring during a Committee meeting shall
2 be made a part of the minutes or recording of the meeting in
3 accordance with the Open Meetings Act.

4 (c) The Institute shall not allow any Institute employee to
5 participate in the processing of, or to provide any advice
6 concerning, any matter with which the Institute employee has a
7 conflict of interest.

8 Section 30. Disclosure of Committee member income and
9 interests.

10 (a) Each Committee member shall file with the Secretary of
11 State a written disclosure of the following with respect to the
12 member, the member's spouse, and any immediate family living
13 with the member:

14 (1) Each source of income.

15 (2) Each entity in which the member, spouse, or
16 immediate family living with the member has an ownership or
17 distributive income share that is not an income source
18 required to be disclosed under item (1) of this subsection
19 (a).

20 (3) Each entity in or for which the member, spouse, or
21 immediate family living with the member serves as an
22 executive, officer, director, trustee, or fiduciary.

23 (4) Each entity with which the member, member's spouse,
24 or immediate family living with the member has a contract
25 for future income.

1 (b) Each appointed Committee member shall file the
2 disclosure required by subsection (a) of this Section at the
3 time the member is appointed and at the time of any
4 reappointment of that member.

5 (c) Each Committee member shall file an updated disclosure
6 with the Secretary of State promptly after any change in the
7 items required to be disclosed under this subsection with
8 respect to the member, the member's spouse, or any immediate
9 family living with the member.

10 (d) The requirements of Section 3A-30 of the Illinois
11 Governmental Ethics Act and any other disclosures required by
12 law apply to this Act.

13 (e) Filed disclosures shall be public records.

14 Section 35. Disclosure of proposed Institute funding
15 recipients.

16 (a) Each Institute request to the Committee for approval of
17 proposed adult stem cell research funding must be accompanied
18 by a written disclosure that identifies the proposed funding
19 recipient and any executives, officers, directors, trustees,
20 fiduciaries, owners, parent company, subsidiaries, affiliates,
21 and institutional or organizational host of the proposed
22 funding recipient.

23 (b) A proposed Institute adult stem cell research funding
24 request shall not be approved by the Committee unless and until
25 the Committee receives the disclosure.

1 (c) Disclosures provided to the Committee are public
2 records.

3 Section 40. Human cloning prohibited.

4 (a) No person shall clone a human being.

5 (b) No person shall purchase, sell, use, or transport an
6 ovum, zygote, embryo, or fetus for the purpose of cloning a
7 human being.

8 (c) A violation of this Section is a Class 1 felony.

9 (d) For purposes of this Section, "clone" means to create
10 or attempt to create using human somatic cell nucleus transfer
11 technology a human being, human embryo, or human fetus by
12 transferring the nucleus from a human cell from whatever source
13 into a human egg cell from which the nucleus has been removed
14 for any purpose regardless of whether or not the resulting
15 product could result in a human embryo, human fetus, or human
16 being and regardless of whether or not it is intended to be
17 implanted into a person and may or may not result in a
18 pregnancy and a birth of a human being. For purposes of this
19 Section, "clone" does not refer to duplicating or replicating
20 human DNA sequences, organs, tissues, or cells.

21 (e) Nothing in this Act shall be construed to restrict or
22 prohibit biomedical research using cloning technology that is
23 not expressly prohibited by this Act, including the cloning of
24 human genes, cells, and tissues.

1 Section 45. Purchase or sale prohibited.

2 (a) A person may not knowingly, for valuable consideration,
3 purchase or sell embryonic or cadaveric fetal tissue for
4 research purposes.

5 (b) For the purpose of this Section, the giving or
6 receiving of reasonable payment for the removal, processing,
7 disposal, preservation, quality control, storage,
8 transplantation, or implantation of the tissue does not
9 constitute purchase or sale. This Section does not prohibit
10 reimbursement for removal, storage, or transportation of
11 embryonic or cadaveric fetal tissue for research purposes
12 pursuant to this Act.

13 (c) A person who knowingly purchases or sells embryonic or
14 cadaveric fetal tissue for research purposes in violation of
15 subsection (a) of this Section is guilty of a Class A
16 misdemeanor for the first conviction and a Class 4 felony for
17 subsequent convictions.

18 Section 50. Severability. If any provision of this Act or
19 its application to any person or circumstance is held invalid,
20 the invalidity of that provision or application does not affect
21 other provisions or applications of this Act that can be given
22 effect without the invalid provision or application."