

Regular Session, 2009

SENATE BILL NO. 115

BY SENATOR MARTINY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIME/PUNISHMENT. Prohibits human-animal hybrids. (8/15/09)

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AN ACT

To enact Section 5 of Subpart A of Part V of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:89.6, relative to human-animal hybrids; to prohibit human-animal hybrids; to provide for criminal elements; to provide for definitions; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Section 5 of Subpart A of Part V of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, comprised of R.S. 14:89.6 is hereby enacted to read as follows:

5. HUMAN-ANIMAL HYBRIDS

§89.6. Human-animal hybrids

A. It shall be unlawful for any person to knowingly:

(1) Create or attempt to create a human-animal hybrid.

(2) Transfer or attempt to transfer a human embryo into a non-human womb.

(3) Transfer or attempt to transfer a non-human embryo into a human womb.

B. Whoever violates this Section shall be imprisoned at hard labor for

1 not more than ten years, or fined not more than ten thousand dollars, or both.

2 C. Whoever violates this Section and derives pecuniary gain from such
3 violation shall be subject to a civil fine of one million dollars or an amount equal
4 to the amount of the gross gain multiplied by two.

5 D. As used in this Section, the following words and phrases shall have
6 the following meaning:

7 (1) Human-animal hybrid means:

8 (a) A human embryo into which a non-human cell or cells or the
9 component parts thereof have been introduced.

10 (b) A hybrid human-animal embryo produced by fertilizing a human
11 egg with a non-human sperm.

12 (c) A hybrid human-animal embryo produced by fertilizing a non-
13 human egg with human sperm.

14 (d) An embryo produced by introducing a non-human nucleus into a
15 human egg.

16 (e) An embryo produced by introducing a human nucleus into a non-
17 human egg.

18 (f) An embryo containing at least haploid sets of chromosomes from
19 both a human and a non-human life form.

20 (g) A non-human life form engineered such that human gametes develop
21 within the body of a non-human life form.

22 (h) A non-human life form engineered such that it contains a human
23 brain or a brain derived wholly or predominately from human neural tissues.

24 (2) Human embryo means an organism of the species Homo sapiens
25 during the earliest stages of development, from one cell up to eight weeks.

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michael Bell.

DIGEST

Proposed law provides that it shall be unlawful for any person to knowingly:

- (1) Create or attempt to create a human-animal hybrid.
- (2) Transfer or attempt to transfer a human embryo into a non-human womb.
- (3) Transfer or attempt to transfer a non-human embryo into a human womb.

Proposed law provides that whoever violates proposed law shall be imprisoned at hard labor for not more than ten years, or fined not more than ten thousand dollars, or both.

Proposed law provides that whoever violates proposed law and derives pecuniary gain from such violation shall be subject to a civil fine of \$1,000,000 or an amount equal to the amount of the gross gain multiplied by two.

Proposed law defines the following:

- (1) Human-animal hybrid means:
 - (a) A human embryo into which a non-human cell or cells or the component parts thereof have been introduced.
 - (b) A hybrid human-animal embryo produced by fertilizing a human egg with a non-human sperm.
 - (c) A hybrid human-animal embryo produced by fertilizing a non-human egg with human sperm.
 - (d) An embryo produced by introducing a non-human nucleus into a human egg.
 - (e) An embryo produced by introducing a human nucleus into a non-human egg.
 - (f) An embryo containing at least haploid sets of chromosomes from both a human and a non-human life form.
 - (g) A non-human life form engineered such that human gametes develop within the body of a non-human life form.
 - (h) A non-human life form engineered such that it contains a human brain or a brain derived wholly or predominately from human neural tissues.
- (2) Human embryo means an organism of the species *Homo sapiens* during the earliest stages of development, from one cell up to eight weeks.

Effective August 15, 2009.

(Adds R.S. 14:89.6)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill.

1. Clarifies part of the definition of human-animal hybrid to mean: A human embryo into which a non-human cell or cells or the component parts thereof have been introduced.
2. Provides for a civil fine of \$1,000,000 or an amount equal to the amount of the gross gain multiplied by two when a person derives pecuniary gain.