

LEXSTAT MICH. COMP. LAWS, PUBLIC HEALTH CODE, §§ 333.16274

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CHAPTER 333 HEALTH
PUBLIC HEALTH CODE
ARTICLE 15. OCCUPATIONS
PART 161. GENERAL PROVISIONS

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

MCLS § 333.16274 (2003)

MCL § 333.16274

§ 333.16274. Human cloning; prohibited acts; exception; violation of subsection (1); private right of action; definitions.

Sec. 16274. (1) A licensee or registrant shall not engage in or attempt to engage in human cloning.

(2) Subsection (1) does not prohibit scientific research or cell-based therapies not specifically prohibited by that subsection.

(3) A licensee or registrant who violates subsection (1) is subject to the administrative penalties prescribed in sections 16221 and 16226 and to the civil penalty prescribed in section 16275.

(4) This section does not give a person a private right of action.

(5) As used in this section:

(a) "Human cloning" means the use of human somatic cell nuclear transfer technology to produce a human embryo.

(b) "Human embryo" means a human egg cell with a full genetic composition capable of differentiating and maturing into a complete human being.

(c) "Human somatic cell" means a cell of a developing or fully developed human being that is not and will not become a sperm or egg cell.

(d) "Human somatic cell nuclear transfer" means transferring the nucleus of a human somatic cell into an egg cell from which the nucleus has been removed or rendered inert.

HISTORY: Act 368, 1978, p 865; eff September 30, 1978.

Pub Acts 1978, No. 368, § 16274, as added by Pub Acts 1998, No. 108, eff June 4, 1998 (see 1998 note below).

NOTES:

Editor's notes:

Pub Acts 1998, No. 108, enacting § 1, eff June 4, 1998, provides:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

"(a) House Bill No. 4846 [Pub Acts 1998, No. 109].

"(b) House Bill No. 4962 [Pub Acts 1998, No. 110].

"(c) House Bill No. 5475 [Pub Acts 1998, No. 111]."

MCLS § 333.16274

Statutory references:

Sections 16221, 16226 and 16275, above referred to, are §§ 333.16221 , 333.16226 and 333.16275 .

LEXSTAT MICH. COMP. LAWS, PUBLIC HEALTH CODE, §§ 333.16275

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CHAPTER 333 HEALTH
PUBLIC HEALTH CODE
ARTICLE 15. OCCUPATIONS
PART 161. GENERAL PROVISIONS

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

MCLS § 333.16275 (2003)

MCL § 333.16275

§ 333.16275. Human cloning; prohibition; exception; violation; penalty; private right of action; "human cloning" defined.

Sec. 16275. (1) A licensee or registrant or other individual shall not engage in or attempt to engage in human cloning.

(2) Subsection (1) does not prohibit scientific research or cell-based therapies not specifically prohibited by that subsection.

(3) A licensee or registrant or other individual who violates subsection (1) is subject to a civil penalty of \$10,000,000.00. A fine collected under this subsection shall be distributed in the same manner as penal fines are distributed in this state.

(4) This section does not give a person a private right of action.

(5) As used in this section, "human cloning" means that term as defined in section 16274.

HISTORY: Act 368, 1978, p 865; eff September 30, 1978.

Pub Acts 1978, No. 368, § 16275, as added by Pub Acts 1998, No. 109, eff June 4, 1998 (see 1998 note below).

NOTES:

Editor's notes:

Pub Acts 1998, No. 109, enacting § 1, eff June 4, 1998, provides:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

"(a) House Bill No. 4962 [Pub Acts 1998, No. 110].

"(b) House Bill No. 5475 [Pub Acts 1998, No. 111].

"(c) Senate Bill No. 864 [Pub Acts 1998, No. 108]."

Statutory references:

Section 16274, above referred to, is § 333.16274 .

LEXSTAT MICH. COMP. LAWS, PUBLIC HEALTH CODE, §§ 333.20197

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CHAPTER 333 HEALTH
PUBLIC HEALTH CODE
ARTICLE 17. FACILITIES AND AGENCIES
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MCLS § 333.20197 (2003)

MCL § 333.20197

§ 333.20197. Human cloning in facility owned or operated by health facility or agency.

Sec. 20197. (1) A health facility or agency shall not allow a licensee or registrant under article 15 or any other individual to engage in or attempt to engage in human cloning in a facility owned or operated by the health facility or agency.

(2) Subsection (1) does not prohibit a health facility or agency from allowing a licensee or registrant under article 15 or any other individual from engaging in scientific research or cell-based therapies not specifically prohibited by that subsection.

(3) A health facility or agency that violates subsection (1) is subject to the administrative penalties prescribed in section 20165(4).

(4) This section does not give a person a private right of action.

(5) As used in this section, "human cloning" means that term as defined in section 16274.

HISTORY: Act 368, 1978, p 865; eff September 30, 1978.

Pub Acts 1978, No. 368, § 20197, as added by Pub Acts 1998, No. 108, eff June 4, 1998 (see 1998 note below).

NOTES:

Editor's notes:

Pub Acts 1998, No. 108, enacting § 1, eff June 4, 1998, provides:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 89th Legislature are enacted into law:

"(a) House Bill No. 4846 [Pub Acts 1998, No. 109].

"(b) House Bill No. 4962 [Pub Acts 1998, No. 110].

"(c) House Bill No. 5475 [Pub Acts 1998, No. 111]."

Statutory references:

Article 15, above referred to, is §§ 333.16101 et seq. ; Sections 16274 and 20165 are §§ 333.16274 and 333.20165 .