

1.1 A bill for an act

1.2 relating to health; establishing state policy for stem cell research; providing
1.3 criminal penalties; proposing coding for new law in Minnesota Statutes, chapters
1.4 137; 145.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[137.45] STEM CELL RESEARCH.**

1.7 The University of Minnesota may spend state-appropriated funds on stem cell
1.8 research.

1.9 Sec. 2. **[145.427] STATE POLICY FOR STEM CELL RESEARCH.**

1.10 Subdivision 1. **Research use permitted.** The policy of the state of Minnesota is
1.11 that research involving the derivation and use of human embryonic stem cells, human
1.12 embryonic germ cells, and human adult stem cells from any source, including somatic cell
1.13 nuclear transplantation, shall be permitted and that full consideration of the ethical and
1.14 medical implications of this research be given. Research permitted under this section must
1.15 not include cloning. Research involving the derivation and use of human embryonic stem
1.16 cells, human embryonic germ cells, and human adult stem cells, including somatic cell
1.17 nuclear transplantation, shall be reviewed by an approved institutional review board.

1.18 Subd. 2. **Informed consent.** A physician, surgeon, or other health care provider
1.19 who is treating a patient for infertility shall provide the patient with timely, relevant, and
1.20 appropriate information sufficient to allow the patient to make an informed and voluntary
1.21 choice regarding the disposition of any human embryos remaining following the fertility
1.22 treatment. Any patient to whom information is provided under this subdivision shall
1.23 be presented with the options of storing any unused embryos, donating the embryos

S.F. No. 100, 3rd Engrossment - 85th Legislative Session (2007-2008)

2.1 to another individual, discarding the embryos, or donating the remaining embryos for
2.2 research. Any patient who elects to donate embryos remaining after fertility treatments
2.3 for research shall provide written consent to that donation.

2.4 Subd. 3. **Prohibiting sale of fetal tissue.** (a) A person may not knowingly, for
2.5 valuable consideration, purchase, sell, or otherwise transfer or obtain, or promote the
2.6 sale or transfer of, embryonic or cadaveric fetal tissue for research purposes. However,
2.7 embryonic or cadaveric fetal tissue may be donated for research purposes under this
2.8 section. For purposes of this subdivision, "valuable consideration" means financial gain or
2.9 advantage, but does not include reasonable payment for the removal, processing, disposal,
2.10 preservation, quality control, storage, transplantation, or implantation of embryonic or
2.11 cadaveric fetal tissue.

2.12 (b) Violation of this subdivision is a gross misdemeanor.