

# State Cloning Laws

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*The information in this section is provided to illustrate the diversity of approaches various states are taking with regard to regulation of human cloning and embryonic stem cell research. The brief summary is based on a review of relevant literature and websites and should be considered preliminary.*

## **Overview**

While the United States has not passed any federal legislation concerning human cloning, individual states have passed state laws regulating cloning. Fifteen states have legislation involving human cloning. Arkansas, California, Connecticut, Iowa, Maryland, Massachusetts, Michigan, New Jersey, North Dakota, Rhode Island, South Dakota, and Virginia have passed legislation to prohibit reproductive cloning. Arkansas, Indiana, Iowa, Michigan, North Dakota, and South Dakota also prohibit therapeutic cloning (cloning for research). Virginia fails to define "human being," and so it is unclear if all human cloning is banned. Arizona, Indiana, and Michigan specifically prohibit the use of state funds for any human cloning, while Missouri prohibits public funding for reproductive cloning only. California, Connecticut, Maryland, Massachusetts, New Jersey, and Rhode Island specifically allow therapeutic cloning. And California, Connecticut, Illinois, Maryland, and New Jersey have gone so far as to fund such research with state funds.

Twenty-nine states have no legislation addressing either cloning or embryonic stem cell research and therefore have no policy on record. However, almost all of these states have pending legislation. Louisiana is the only state that bans research on IVF embryos, but this does not cover therapeutic or reproductive cloning as long as the blastocyst comes from another source such as being created from a sperm or unfertilized egg cell. Thus cloning is not explicitly restricted in Louisiana.

## **States with Bans on Research Destroying Embryos**

Louisiana, Michigan, Minnesota, North Dakota and South Dakota

## **States with Bans on Reproductive and Therapeutic Cloning (SCNT)**

Arkansas, Indiana, Iowa, Michigan, North Dakota, South Dakota, and Virginia (because 'human being' was left undefined in the legislation)

## **States with Bans Only Reproductive Cloning**

California, Connecticut, Maryland, Massachusetts, New Jersey, and Rhode Island

## **States with Bans on Public Funds**

For Embryonic Stem Cell Research: Nebraska (using money from the tobacco settlement fund only)

For Cloning: Arizona, Indiana, and Michigan

For Reproductive Cloning: Missouri

## **States Funding Embryonic Stem Cell Research**

California (California Institute for Regenerative Medicine), Connecticut (Connecticut Stem Cell Research Grants Program), Illinois (Illinois Regenerative Medicine Institute), Maryland (Maryland Stem Cell Research Fund), and New Jersey (The Stem Cell Institute of New Jersey and the New Jersey Stem Cell Research Grants Program)

## **States with Restrictions Effecting Embryonic Stem Cell Research, but no Legislation on Cloning**

Nebraska, New Hampshire, Ohio, Oklahoma, and Pennsylvania

## **States with no Legislation on either Cloning or Embryonic Stem Cell Research**

Alabama, Alaska, Colorado, Delaware, Florida, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Minnesota, Mississippi, Montana, Nevada, New Mexico, New York, North Carolina, Oregon, South Carolina, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming.