

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 1837**

Short Title: Stem Cell Research Health & Wellness Act. (Public)

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Sponsors: Representatives Jones, Gulley, Farmer-Butterfield, Alexander (Primary Sponsors); Carney, Glazier, Goodwin, Harrison, and Saunders.

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Referred to: Science and Technology, if favorable, Appropriations.

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April 19, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO ENACT THE STEM CELL RESEARCH HEALTH AND WELLNESS  
3 ACT TO PERMIT STEM CELL RESEARCH UNDER LIMITED  
4 CIRCUMSTANCES AND TO APPROPRIATE FUNDS TO THE HEALTH AND  
5 WELLNESS TRUST FUND FOR ALLOCATION AS STEM CELL RESEARCH  
6 GRANTS.

7 The General Assembly of North Carolina enacts:

8       Whereas, an estimated 128 million Americans suffer from the crippling  
9 economic and psychological burden of chronic, degenerative, and acute diseases,  
10 including Alzheimer's disease, cancer, diabetes, and Parkinson's disease; and

11       Whereas, the costs of treating, and lost productivity from, chronic,  
12 degenerative, and acute diseases in the United States constitutes hundreds of billions of  
13 dollars annually. Estimates on the economic costs of these diseases do not account for  
14 the extreme human loss and suffering associated with these conditions; and

15       Whereas, human stem cell research offers immense promise for developing  
16 new medical therapies for these debilitating diseases and a critical means to explore  
17 fundamental questions of biology. Stem cell research could lead to unprecedented  
18 treatments and potential cures for Alzheimer's disease, cancer, diabetes, Parkinson's  
19 disease, and other diseases; and

20       Whereas, stem cell research, including the use of embryonic stem cells for  
21 medical research, raises significant ethical and public policy concerns; and

22       Whereas, the ethical and policy concerns associated with stem cell research  
23 must be carefully considered; and

24       Whereas, the public policy of this State governing stem cell research must  
25 balance ethical and medical considerations based upon both an understanding of the  
26 science associated with stem cell research and a thorough consideration of the ethical  
27 concerns regarding this research; and

1           Whereas, the Congress of the United States passed the Stem Cell Research  
2 Enhancement Act of 2005, which was vetoed by the President and not overridden by  
3 Congress; and

4           Whereas, the Congress of the United States is considering a bill providing for  
5 human embryonic stem cell research; Now, therefore,  
6 The General Assembly of North Carolina enacts:

7           **SECTION 1.** Article 16 of Chapter 130A of the General Statutes is amended  
8 by adding the following new Part to read:

9           "Part 4A. Stem Cell Research Health and Wellness Act.

10          "§ 130A-413.1. Public policy relative to derivation, use of certain cells of humans.

11          (a) It is the public policy of this State that research involving the use of human  
12 embryonic stem cells may be conducted in accordance with this section:

13           (1) The stem cells were derived from human embryos that have been  
14 donated from in vitro fertilization clinics, were created for the  
15 purposes of fertility treatment, and were in excess of the clinical need  
16 of the individuals seeking such treatment.

17           (2) Prior to the consideration of embryo donation and through consultation  
18 with the individuals seeking fertility treatment, it was determined that  
19 the embryos would never be implanted in a woman and would  
20 otherwise be discarded.

21           (3) The individuals seeking fertility treatment donated the embryos with  
22 the written informed consent and without receiving any financial or  
23 other inducements to make the donation.

24          (b) Not later than 60 days after the date this act becomes law, the Secretary of  
25 Health and Human Services shall issue guidelines to carry out this section.

26          (c) The Secretary of Health and Human Services shall submit an annual report to  
27 the General Assembly upon its convening, the House of Representative Appropriations  
28 Subcommittee on Health and Human Services, and the Senate Appropriations  
29 Committee on Health and Human Services. The report shall describe activities carried  
30 out under this section during the preceding fiscal year, including a description of  
31 whether and to what extent research under subsection (a) of this section has been  
32 conducted in accordance with this section."

33          **SECTION 2.** There is appropriated from the General Fund to the Health and  
34 Wellness Trust Fund the sum of ten million dollars (\$10,000,000) for the 2007-2008  
35 fiscal year. These funds shall be allocated by the Health and Wellness Trust Fund  
36 Commission as grants to nonprofit organizations conducting stem cell research. Grants  
37 shall not exceed one million dollars (\$1,000,000) per grant recipient. Funds allocated  
38 shall be matched by the grant recipient at the rate of one non-State dollar for each dollar  
39 of grant funds awarded to the recipient. The Health and Wellness Trust Fund  
40 Commission shall establish guidelines setting eligibility requirements for grant  
41 applicants, and for applying for, expending, and reporting on the use of grant funds.

42          **SECTION 3.** Section 2 of this act becomes effective July 1, 2007. The  
43 remainder of this act is effective when it becomes law.