

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 453

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

AN ACT

RELATING TO HUMAN RIGHTS; PROVIDING FOR PROTECTION OF GENETIC
PRIVACY AGAINST UNLAWFUL DISCRIMINATORY PRACTICES; ENACTING
SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new Section 28-1-2.1 NMSA 1978 is enacted to
read:

"28-1-2.1. [NEW MATERIAL] DEFINITIONS. -- As used in the
Human Rights Act:

A. "DNA" means deoxyribonucleic acid, including
mitochondrial DNA, complementary DNA and DNA derived from
ribonucleic acid; and

B. "genetic information" means information about
the genetic makeup of a person or members of a person's family,
including information resulting from genetic analysis, DNA

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underscored material = new
[bracketed material] = delete

1 composition, participation in genetic research or use of
2 genetic services. "

3 Section 2. A new Section 28-1-7.1 NMSA 1978 is enacted to
4 read:

5 "28-1-7.1. [NEW MATERIAL] UNLAWFUL DISCRIMINATORY
6 PRACTICE. --It is unlawful discriminatory practice for an
7 employer, labor organization, joint apprentice committee or
8 employment agency to use genetic information in any employment-
9 related decisions, including hiring, discharge, promotion,
10 demotion, compensation and terms, conditions and privileges of
11 employment. "

underscored material = new
[bracketed material] = delete