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FISCAL IMPACT REPORT

SPONSOR HJC DATE TYPED 2/26/05 HB 183/HJCS

SHORT TITLE Protection of Genetic Privacy SB _____

ANALYST Ford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			Minimal See Narrative		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Regulation Commission (PRC)

SUMMARY

Synopsis of Bill

The House Judiciary Committee substitute for House Bill 183 amends the Genetic Information Privacy Act to include genetic information resulting from genetic testing, which is defined by the bill. The bill also provides that it is unlawful for a person to use genetic information in employment, recruiting, housing or lending decisions or in extending public accommodations and services.

Significant Issues

The bill defines genetic testing as a test of DNA, RNA, chromosomes or proteins that are linked with physical or mental disorders, impairments or genetic characteristics or that indicate that an individual may be predisposed to an illness, disease, impairment or other disorder. Advancements in science have made it possible to link certain illnesses to specific genes and then to test individuals to see if they carry that gene. The information can be helpful to individuals making health-care decisions but could pose difficulty if the information were released to others. This bill makes it unlawful to use genetic information in employment, recruiting, housing or lending decisions or in extending public accommodations and services.

The Genetic Privacy Act is enforced by the attorney general and district attorneys. In addition, an individual may bring a civil action for recovery of damages or for other relief.

FISCAL IMPLICATIONS

Because the bill expands violations of the Genetic Privacy Act, it may result in cost increases to the courts and the attorney general for enforcement. However, the cost increase is likely to be minimal.

EF/yr