

By: Ellis, Van de Putte

S.B. No. 1614

A BILL TO BE ENTITLED

AN ACT

1
2 relating to imposing a civil penalty for violation of certain
3 restrictions relating to genetic information.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 21.403, Labor Code, is amended by adding
6 Subsection (e) to read as follows:

7 (e) A person who discloses genetic information in violation
8 of this section is liable for a civil penalty of not more than
9 \$10,000. The attorney general may bring an action in the name of
10 the state to recover the penalty, plus reasonable attorney's fees
11 and court costs.

12 SECTION 2. Section 3, Article 9032, Revised Statutes, is
13 amended by adding Subsection (e) to read as follows:

14 (e) A person who discloses genetic information in violation
15 of this section is liable for a civil penalty of not more than
16 \$10,000. The attorney general may bring an action in the name of
17 the state to recover the penalty, plus reasonable attorney's fees
18 and court costs.

19 SECTION 3. The change in law made by this Act applies only
20 to a disclosure of genetic information made on or after the
21 effective date of this Act. A disclosure of genetic information
22 made before the effective date of this Act is governed by the law as
23 it existed immediately before that date, and that law is continued
24 in effect for that purpose.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2003.