

1-1 By: Ellis, Van de Putte S.B. No. 1614
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Jurisprudence; May 2, 2003,
1-4 reported favorably by the following vote: Yeas 5, Nays 0;
1-5 May 2, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to imposing a civil penalty for violation of certain
1-9 restrictions relating to genetic information.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 21.403, Labor Code, is amended by adding
1-12 Subsection (e) to read as follows:

1-13 (e) A person who discloses genetic information in violation
1-14 of this section is liable for a civil penalty of not more than
1-15 \$10,000. The attorney general may bring an action in the name of
1-16 the state to recover the penalty, plus reasonable attorney's fees
1-17 and court costs.

1-18 SECTION 2. Section 3, Article 9032, Revised Statutes, is
1-19 amended by adding Subsection (e) to read as follows:

1-20 (e) A person who discloses genetic information in violation
1-21 of this section is liable for a civil penalty of not more than
1-22 \$10,000. The attorney general may bring an action in the name of
1-23 the state to recover the penalty, plus reasonable attorney's fees
1-24 and court costs.

1-25 SECTION 3. The change in law made by this Act applies only
1-26 to a disclosure of genetic information made on or after the
1-27 effective date of this Act. A disclosure of genetic information
1-28 made before the effective date of this Act is governed by the law as
1-29 it existed immediately before that date, and that law is continued
1-30 in effect for that purpose.

1-31 SECTION 4. This Act takes effect immediately if it receives
1-32 a vote of two-thirds of all the members elected to each house, as
1-33 provided by Section 39, Article III, Texas Constitution. If this
1-34 Act does not receive the vote necessary for immediate effect, this
1-35 Act takes effect September 1, 2003.

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