

By: Villalobos, Capriglione, Leo Wilson

H.B. No. 4377

A BILL TO BE ENTITLED

AN ACT

relating to the retention of certain genetic material and genetic information by the Department of Family and Protective Services.

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

SECTION 1. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.084 to read as follows:

Sec. 40.084. RETENTION OF GENETIC MATERIAL AND GENETIC INFORMATION. (a) In this section:

(1) "DNA" means deoxyribonucleic acid.

(2) "Genetic information" means information related to the genetic characteristics of an individual or the individual's family that is derived from the results of a genetic analysis.

(3) "Genetic material" means blood or another specimen that contains DNA.

(4) "Genetic test" means an analysis of an individual's genetic material to determine paternity.

(5) "Testing laboratory" means any entity the department contracts with for the provision of laboratory services, including genetic testing.

(b) Except as provided by Subsection (c), the department and any testing laboratory used by the department shall promptly destroy any genetic material and delete any genetic information obtained from an individual for the purpose of a genetic test after the purpose for which the sample was obtained is accomplished.

1        (c) The department shall retain the results of a genetic  
2 test. The results of a genetic test are confidential under Section  
3 [40.005](#).

4        SECTION 2. Not later than January 1, 2026, any testing  
5 laboratory used by the Department of Family and Protective Services  
6 shall destroy all genetic material and delete genetic information  
7 as required by Section 40.084, Human Resources Code, as added by  
8 this Act.

9        SECTION 3. This Act takes effect September 1, 2025.