

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB1087

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed

Second House ☒ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Ebbin

3. Committee: Commerce and Energy

4. Title: Genetic data privacy; civil penalty.

5. Summary: Establishes requirements for direct-to-consumer genetic testing companies, defined in the bill, including requirements related to information to be provided to consumers, express consent requirements, requirements related to security of and consumer access to genetic data, requirements for contracts between direct-to-consumer genetic testing companies and service providers, and prohibitions on disclosure of genetic data by direct-to-consumer genetic testing companies. The bill also prohibits discrimination against a consumer based on exercise of rights related to genetic data privacy and imposes civil penalties for violations of the provisions of the bill.

6. Budget Amendment Necessary: Indeterminate – See Item 8.

7. Fiscal Impact Estimates: Preliminary. Indeterminate – See Item 8.

8. Fiscal Implications: The Office of the Attorney General and Department of Law (OAG) indicates this bill should not create a fiscal impact.

The civil penalties assessed for violating the provisions of this legislation each year is unknown at this time, and it is unknown how much will be deposited to the Literary Fund each year.

9. Specific Agency or Political Subdivisions Affected: Office of the Attorney General and Department of Law

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/14/2023