

## Senate proposal of amendment

### H. 639

An act relating to genetic data privacy.

The Senate proposes to the House to amend the bill as follows:

First: In Sec. 1, 9 V.S.A. chapter 61A, in section 2421b, in subsection (d), by striking out subdivisions (2) and (3) in their entirety and inserting in lieu thereof a new subdivision (2) to read as follows:

(2) Genetic data and biological samples of consumers shall:

(A) not be stored within the territorial boundaries of any country currently sanctioned in any way by the U.S. Office of Foreign Assets Control or designated as a foreign adversary under 15 C.F.R. § 7.4(a); and

(B) only be transferred or stored outside the United States with the express consent of the consumer.

Second: In Sec. 1, 9 V.S.A. chapter 61A, in section 2421c, by adding a new subsection to be subsection (c) to read as follows:

(c)(1) A consumer pursuing a civil action pursuant to subsection 2461(b) of this title against a direct-to-consumer genetic testing company or service provider for an alleged violation of this subchapter shall, before initiating the civil action, send a written notice to the company or service provider that includes as many details as possible of the alleged violation.

(2) If the company or service provider does not cure the alleged violation within 60 days after the notice is received by the company or service provider or if there is a disagreement as to whether the alleged violation has been cured, the consumer shall have the right to initiate a civil action against the company or service provider pursuant to subsection 2461(b) of this title.