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H.639

Representative Marcotte of Coventry moves that the House concur in the Senate proposal of amendment with further proposal of amendment in Sec. 1, 9 V.S.A. chapter 61A, in section 2421c, by striking out subsection (c) in its entirety and inserting in lieu thereof a new 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 subdivision 2421b(a)(1) or subsection 2421b(b) or 2421b(f) 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.

(3) There is no cure period for any other alleged violation of this subchapter.