

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred House Bill No. 639 entitled “An act relating to genetic data
4 privacy” respectfully reports that it has considered the same and recommends
5 that the Senate propose to the House that the bill be amended as follows:

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

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

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

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

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

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

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

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7 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE