

1 1757 AMS HARG S2805.1

2 **HB 1757** - S AMD TO HSC COMM AMD (S-2487.2/99) - 414

3 By Senators Hargrove, Franklin, Costa, Stevens and Zarelli

4 ADOPTED 4/16/99

5 On page 1, beginning on line 7 of the amendment, strike "**PART I**  
6 **THE DNA IDENTIFICATION SYSTEM**"

7 Beginning on page 2, after line 21 of the amendment, strike  
8 everything through "19.86.020." on page 3, line 6 and insert the  
9 following:

10 NEW SECTION. **Sec. 201.** A new section is added to chapter 70.02  
11 RCW to read as follows:

12 Any health care provider, facility, or researcher who creates,  
13 maintains, or discloses a copy or record of a person's individually  
14 identifiable DNA information in violation of chapter 42.48 RCW, or RCW  
15 7.70.065, 70.02.050, 71.05.630, or 74.42.040, or in violation of any  
16 federal informed consent statute or rule has committed an unfair  
17 business practice pursuant to the consumer protection act, chapter  
18 19.86 RCW. Any person whose individually identified DNA information  
19 was copied or recorded in violation of this section shall have a cause  
20 of action under the consumer protection act.

21 NEW SECTION. **Sec. 202.** A new section is added to chapter 19.86  
22 RCW to read as follows:

23 Any violation of section 201 of this act shall also constitute an  
24 unfair business practice in violation of RCW 19.86.020."

25 On page 3, beginning on line 11 of the amendment, strike all of  
26 sections 205 and 206.

27 Renumber the sections consecutively and correct any internal  
28 references accordingly.

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4 On page 3, beginning on line 19 of the title amendment, after  
5 "43.43.754;" strike the remainder of the title amendment and insert  
6 "adding a new section to chapter 70.02 RCW; adding a new section to  
7 chapter 19.86 RCW; and creating a new section."

EFFECT: Removes all of Part II and replaces it with a penalty for disclosure of personal DNA identification information without informed consent.

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