

SENATE BILL REPORT

SB 5283

As Reported By Senate Committee On:
Human Services & Corrections, February 22, 2001

Title: An act relating to discriminatory use of DNA in employment matters.

Brief Description: Prohibiting discriminatory use of DNA in employment matters.

Sponsors: Senators Franklin and Kohl-Welles.

Brief History:

Committee Activity: Human Services & Corrections: 1/31/01, 2/22/01 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 5283 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Kohl-Welles, Long and Stevens.

Staff: Joan K. Mell (786-7447)

Background: DNA means deoxyribonucleic acid, a component of human body cells. Analysis of DNA produces a sequence of chemical base pairs (A = adenylic acid, T = thymidylic acid, C = cytidylic acid, and G = guanylic acid), which is unique to the individual.

Researchers, scientists, criminal experts, and businesses value interpretation of the unique sequences. The federal government is competing with private researchers to map the entire human genome. The preliminary mapping has been essentially completed. The federally supported effort is called the Human Genome Project; a segment of that project operates out of the University of Washington.

In the 1999 session, the Legislature enacted House Concurrent Resolution 4412, which resulted in an interim committee on DNA Identification. The resolution directed House and Senate members to study the policy implications relative to scientific advances that are making DNA useful. The resolution required consideration of privacy concerns given the wealth of individual information available from DNA. There was not a consensus recommendation from the committee, which completed its work in July of 2000. In the 2000 session, several DNA bills were introduced. The language in this bill passed the Senate, but did not pass the House.

Consumers have expressed concerns that information derived from analysis of their DNA will be used to violate their civil rights. Individuals fear use of their genetic information by employers to limit access to jobs and promotions.

Summary of Substitute Bill: A new section is added to the civil rights code that prohibits an employer from screening a person's DNA.

Substitute Bill Compared to Original Bill: The language is clarified to incorporate consideration of interpretation of data from DNA analysis.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: People are concerned about the inappropriate and discriminatory use of DNA by an employer to deny, modify, or terminate employment. Employers should not be discriminating based upon DNA analysis, which is not necessarily determinative of any conditions affecting a person's capacity to work.

Testimony Against: None.

Testified: Linda Hull, WA Biotechnology & Biomedical Assn.