The original instrument was prepared by Michelle D. Ridge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Nancy Vicknair.

DIGEST 2018 Regular Session

Morrell

<u>Proposed law</u> requires a company who sells DNA kits for testing for any purpose to inform the purchaser through advertisement or written notice that by submitting his DNA, the purchaser loses his exclusive right to his DNA.

<u>Proposed law</u> requires that in any form of advertisement by a company that sells DNA testing kits, the statement informing the purchaser that he loses exclusive right to his DNA shall be in no less than 14 point font and is in contrast by typography, layout, or color with any other printing in the advertisement.

<u>Proposed law</u> requires that if the advertisement is oral, it must end with a statement informing the consumer of his loss of exclusivity.

<u>Proposed law</u> provides that a DNA testing kit shall include a concise and easy-to-read notice informing the purchaser of all of the following:

- (1) The purchaser's DNA may be used in other laboratory research or analysis other than the service that was purchased if the purchaser consents to such research.
- (2) Information on the research that may be conducted with the purchaser's DNA.
- (3) Who the purchaser's DNA or other information is shared with or sold to.
- (4) The purchaser's option to withhold his consent to other laboratory research or analysis, or if previously consented, the ability to withdraw his consent at any time by notifying the seller.
- (5) A statement that informs the purchaser that by submitting his DNA for testing, he shall lose the exclusive right to his DNA. This statement shall be in conspicuous and legible type that is not smaller than 14 point font and is in contrast by typography, layout, or color with any other printing in the notice.

A violation of <u>proposed law</u> shall be treated as a deceptive and unfair trade practice and shall subject the violator to any and all penalties provided in the Unfair Trade Practices and Consumer Protection Law.

Provides that the Act shall be known as the "Henrietta Lacks Act".

Effective August 1, 2018.

SB 442 Reengrossed

Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill</u>

1. Makes technical changes.

Senate Floor Amendments to engrossed bill

- 1. Legislative bureau technical changes.
- 2. Provides that the Act shall be known as the "Henrietta Lacks Act".