



House of Representatives *State of Utah*

318 STATE CAPITOL • SALT LAKE CITY, UTAH 84114 • (801) 538-1029 • FAX: (801) 538-1908

January 28, 1999

Mr. Speaker:

The Health and Human Services Committee recommends **H.B. 177**, GENETIC TESTING PRIVACY ACT, by Representative N. Stephens, be replaced and reports a favorable recommendation on **1st Sub. H.B. 177**, GENETIC TESTING PRIVACY ACT with the following amendments:

1. Page 11, Line 307: After "body" insert "or the cause of death"
2. Page 11, Line 311: Delete "5, Part 10" and insert "10"
3. Page 13, Line 385: Delete "unintentionally"
4. Page 13, Line 387: After "or" insert ":(i)" and delete "\$5,000" and insert "\$2,500" and delete ", whichever is greater" and insert:
"if the violation is the result of negligence;
(ii) \$5,000 if the violation is the result of gross negligence;
(iii) \$15,000 if the violation is the result of an intentional and wilful act; or
(iv) \$30,000 if the violation is the result of a

Bill Number

Action Class

Action Code

HB0177

H

HCRSUBAMD

malicious act; and"

5. Page 13, Lines 388-396: Delete lines 388-396 and insert:
"(b) reasonable attorneys fees up to \$5,000.
(3) A person is not liable for damages under
Subsection (2) if the person:
(a) corrected a violation under Subsection
(2)(a)(i) or (ii) within three working days of
having knowledge of the violation; and
(b) no actual harm resulted from the violation."
6. Page 14, Line 405: Delete the colon
7. Page 14, Line 406: Delete line 406
8. Page 14, Line 407: Delete "(ii) \$30,000" and insert "\$15,000"

Respectfully,

Carl R. Saunders
Committee Chair

Voting: 6-5-2

7 HB0177.HC1 BBushman/MDA RCL/ALH 5:05 PM

Bill Number

Action Class

Action Code

HB0177

H

HCRSUBAMD