

Effective 5/12/2015

**Chapter 19
Biotechnology Provisions**

**Part 1
Biotechnology Provisions**

63G-19-101 Title -- Definitions.

- (1) This chapter is known as "Biotechnology Provisions."
- (2) As used in this part, "biotechnology" is:
 - (a) the modification of living organisms by recombinant DNA techniques; and
 - (b) a means to accomplish, through genetic engineering, the same kinds of modifications accomplished through traditional genetic techniques such as crossbreeding.

Renumbered and Amended by Chapter 283, 2015 General Session

63G-19-102 Confidential information.

- (1) A state agency having access under federal law to biotechnology trade secrets and related confidential information shall manage the trade secrets and related confidential records as protected records under Title 63G, Chapter 2, Government Records Access and Management Act.
- (2) The records described in this section may be disclosed under the balancing provisions of Title 63G, Chapter 2, Government Records Access and Management Act, when a determination is made that disclosure is essential for the protection of the public's health or environment.

Renumbered and Amended by Chapter 283, 2015 General Session

63G-19-103 Preemption of local regulation.

- (1) A county, city, town, or other political subdivision may not regulate the technological processes relating to the development and use of biotechnologically created materials and organisms.
- (2) This preemption does not affect the powers of a county, city, town, or other political subdivision, including the power to regulate land use, business, industry, construction, and public utilities, to protect the public health or environment, or to provide fire protection and other public safety services.

Renumbered and Amended by Chapter 283, 2015 General Session