STAND. COM. REP. NO. 2983

Honolulu, Hawaii

#### MAR 0 4 2022

RE: S.B. No. 2032 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and Judiciary, to which was referred S.B. No. 2032, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GENETIC INFORMATION PRIVACY," beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require direct-to-consumer genetic testing companies to adhere to certain requirements pertaining to the collection, use, and disclosure of genetic data; and
- (2) Provide that any violation of the requirements be deemed an unfair or deceptive trade practice in accordance with section 480-2, Hawaii Revised Statutes.

Your Committees received testimony in support of this measure from the Department of Health and Coalition for Genetic Data Protection. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that self-administered DNA and ancestry tests have grown in popularity in recent years. Despite certain federal protections that address discrimination based on genetic information, there is no holistic protection against the widespread collection, dissemination, and use of the genetic information. State law also fails to adequately address what can

be done with genetic data collected by companies that are not otherwise subject to applicable privacy laws. This measure therefore fills existing gaps in protection and extends important safequards for the privacy, confidentiality, security, and integrity of a consumer's genetic data.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2032, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2032, S.D. 2.

> Respectfully submitted on behalf of the members of the Committees on Commerce and Consumer Protection and Judiciary,

KARL RHOADS, Chair

### The Senate Thirty-First Legislature State of Hawai'i

# Record of Votes Committee on Commerce and Consumer Protection CPN

Bill / Resolution No.:*	Committee Referral:		Date:							
SB 2032, SD1	HTH. CPN 1JDC 03-0			-01-2012						
The Committee is reconsidering its previous decision on this measure.										
If so, then the previous decision was to:										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye	Aye (W	R)	Nay	Excused				
BAKER, Rosalyn H. (C)										
CHANG, Stanley (VC)										
DECOITE, Lynn										
NISHIHARA, Clarence K.						<b>\</b>				
RIVIERE, Gil										
SAN BUENAVENTURA, Joy A	١.									
FEVELLA, Kurt										
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TOTAL		5	-		_	2				
Recommendation:  Adopted Not Adopted										
Chair's or Designee's Signature:  Rossly H Brk										
Distribution: Original File with Committee Re				Pink Goldenrod  Drafting Agency Committee File Copy						

\*Only one measure per Record of Votes

## The Senate Thirty-First Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:					
SB 2032, SDI	HTH, CPN/JDC			03-01-22					
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (WR)	Nay	Excused				
RHOADS, Karl (C)		<b>/</b>							
KEOHOKALOLE, Jarrett (VC)									
ACASIO, Laura		<b>√</b>							
GABBARD, Mike		<b>V</b>							
KIM, Donna Mercado		<b>√</b>							
LEE, Chris									
FEVELLA, Kurt									
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TOTAL		7		_					
Recommendation:  Adopted  Not Adopted									
Chair's or Designee's Signature:									
<b>Distribution:</b> Original File with Committee Re	: Original Yellow File with Committee Report Clerk's Office				denrod e File Copy				

<sup>\*</sup>Only one measure per Record of Votes