



Romney Building, 10th Floor  
Lansing, Michigan 48909  
Phone: 517/373-6466

## GENETIC COMPOSITION: ESTABLISH PROPERTY AND PRIVACY RIGHTS

**House Bill 5049**  
**Sponsor: Rep. Kirk Profit**  
**Committee: Health Policy**

**Complete to 9-21-98**

### **A SUMMARY OF HOUSE BILL 5049 AS INTRODUCED 7-15-97**

House Bill 5049 would create a new act to establish a person's property right over his or her genetic composition, and to allow a person to bring a civil action to protect that right. The bill also would specify that a person has a right to privacy with regard to his or her genetic composition. The right to privacy would be substantially similar to other privacy rights granted by the courts under the Michigan Constitution of 1963. A person could bring a civil suit to protect his or her privacy right that would include, but not be limited to, an action in tort for invasion of privacy. Further, a person would be prohibited from using the genetic composition of an individual for scientific purposes, research purposes, reproduction purposes, or any other purpose without first obtaining the individual's written consent for that specific use. A person would be liable in a civil action for damages for the amount of actual damages caused by a violation under the bill, plus reasonable attorney fees and court costs.

House Bill 5049 (9-21-98)

Analyst: S. Stutzky

---

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.