

HOUSE BILL No. 5049

July 15, 1997, Introduced by Rep. Profit and referred to the Committee on Health Policy.

A bill to grant certain rights to an individual with regard to his or her genetic composition; to provide certain protections for those rights; and to create a civil cause of action.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) An individual has a property right in his or
2 her genetic composition.

3 (2) An individual may bring a civil action in a court of
4 competent jurisdiction in this state to protect the property
5 right granted under subsection (1).

6 Sec. 2. (1) An individual has a right to privacy with
7 regard to his or her genetic composition. The right to privacy
8 granted under this subsection is substantially similar to other
9 privacy rights granted by the courts of this state under the
10 Michigan constitution of 1963.

1 (2) An individual may bring a civil action in a court of
2 competent jurisdiction in this state to protect the privacy right
3 granted under subsection (1), including, but not limited to, an
4 action in tort for invasion of privacy.

5 Sec. 3. (1) A person shall not use the genetic composition
6 of an individual for scientific purposes, research purposes,
7 reproduction purposes, or any other purpose without first obtain-
8 ing the individual's written consent for that specific use.

9 (2) A person who violates subsection (1) is liable in a
10 civil action for damages for the amount of actual damages caused
11 by the violation, plus reasonable attorney fees and court costs.