

SENATE BILL REPORT

ESSB 6395

As Passed Senate, February 11, 2000

Title: An act relating to the use of DNA.

Brief Description: Changing provisions relating to the use of DNA information.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Franklin, Hochstatter, Fairley, Swecker and Winsley).

Brief History:

Committee Activity: Human Services & Corrections: 1/25/2000, 2/1/2000 [DPS].
Passed Senate, 2/11/2000, 45-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6395 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Patterson, Sheahan, Stevens and Zarelli.

Staff: Joan K. Mell (786-7447)

Background: DNA means deoxyribonucleic acid, a component of human body cells. Analysis of DNA produces a sequence of chemical base pairs (**A** = adenylic acid, **T** = thymidylic acid, **C** = cytidylic acid, and **G** = guanylic acid), which is unique to the individual.

Researchers, scientists, criminal experts, and businesses value interpretation of the unique sequences. The federal government is competing with private researchers to map the entire human genome. The federally supported effort is called the Human Genome Project; a segment of that project operates out of the University of Washington.

In the 1999 session, the Legislature enacted House Concurrent Resolution 4412, which resulted in an interim committee on DNA Identification. The resolution directed House and Senate members to study the policy implications relative to scientific advances that are making DNA useful. The resolution required consideration of privacy concerns given the wealth of individual information available from DNA.

There currently is no ongoing state commission with legislative members analyzing public policy development relative to DNA.

Summary of Bill: A statewide commission is established to study a statewide strategy for evaluating and recommending public policies relating to the use of DNA, among other things.

Nonlegislative members are appointed by the Governor. Four legislative members serve, in conjunction with representatives from the various interest groups. Commission members do not receive remuneration, only costs. Staffing is provided by the Legislature.

Discrimination in insurance transactions or employment is prohibited. Informed consent is required when isolating a person's individually identifiable DNA. Exceptions exist for criminal investigation purposes, death investigations, anonymous use of DNA, and research conducted under an institutional review board.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Concerns were expressed regarding the makeup of the commission and the need to operate at a state level in conjunction with the federal level. Concerns were expressed about any activity that would slow research.

Testimony Against: None.

Testified: Kristi Coppin (con); Dr. Barry Logan, WSP (concerns); Jackie Der, Dr. Wylie Burke, UW (concerns); Suzanne Brown, WA Coalition of Sexual Assault Programs; Enid Layes, WA Biotechnology Assn.