



SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 284 be amended to read as follows:

- 1 Page 3, delete lines 4 through 15, begin a new paragraph and insert:
2 "**Sec. 3. As used in this chapter, "deidentified data" means data**
3 **that cannot reasonably be used to infer information about, or**
4 **otherwise be linked to, an identifiable consumer and that:**
5 **(1) is subject to:**
6 **(A) administrative and technical measures to ensure that**
7 **the data cannot be associated with a particular consumer;**
8 **(B) public commitment by the holder of the data to:**
9 **(i) maintain and use the data in deidentified form; and**
10 **(ii) not attempt to reidentify the data; and**
11 **(C) legally enforceable contractual obligations that**
12 **prohibit any recipients of the data from attempting to**
13 **reidentify the data; or**
14 **(2) meets requirements for deidentification of the data set**
15 **forth in 45 CFR 164.514."**
16 Page 3, line 35, delete "has:" and insert "**has provided the**
17 **individual with"**.
18 Page 3, delete lines 36 through 38.
19 Page 3, run in lines 34 through 42.
20 Page 5, delete lines 11 through 15, begin a new line block indented
21 and insert:
22 **"(5) Retain data, other than deidentified data, resulting from**
23 **genetic testing performed on the individual's biological**
24 **material for more than thirty (30) days after the completion**
25 **of the service:**
26 **(A) except as required to comply with state and federal**

- 1 **law; and**
 - 2 **(B) provided the individual is empowered to revoke any**
 - 3 **necessary consent to the service at any time."**
 - 4 Page 5, line 17, after "results" insert "
 - 5 **(7) Provide"**.
 - 6 Page 5, line 18, delete "or provide".
 - 7 Page 5, line 19, after "provider's" insert "**genetic testing"**.
 - 8 Page 5, delete lines 20 through 21, begin a new line double block
 - 9 indented and insert:
 - 10 **"(B) use of the provider's:**
 - 11 **(i) website; or**
 - 12 **(ii) other remote or virtual services;**
 - 13 **associated with the provider's genetic testing services;"**.
- (Reference is to SB 284 as printed January 26, 2024.)

Senator HUNLEY