

**SENATE AMENDMENTS**  
**2<sup>nd</sup> Printing**

By: Bonnen, Orr, et al. H.B. No. 130

A BILL TO BE ENTITLED

AN ACT

relating to genetic information security for residents of this state; providing a civil penalty; providing a private cause of action.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle H, Title 2, Health and Safety Code, is amended by adding Chapter 174 to read as follows:

CHAPTER 174. SECURITY OF GENETIC INFORMATION

Sec. 174.001. SHORT TITLE. This chapter may be cited as the Texas Genomic Act of 2025.

Sec. 174.002. DEFINITIONS. In this chapter:

(1) "Company" means a sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company that exists to make a profit. The term includes a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations.

(2) "Domicile" means the country in which:

(A) a company or nonprofit organization is formed, incorporated, or registered and headquartered;

(B) a company's or nonprofit organization's affairs are primarily conducted; or

(C) the majority of the company's ownership

1 shares are held.

2 (3) "Foreign adversary" has the meaning assigned by 15  
3 C.F.R. Section 791.4(a).

4 (4) "Genome sequencer" means any device or platform  
5 used to conduct genome sequencing, resequencing, or isolation or  
6 other genome research.

7 (5) "Genome sequencing" means any method used to  
8 determine the identity and order of nucleotide bases in the human  
9 genome.

10 (6) "Human genome" means the set of DNA found in human  
11 cells.

12 (7) "Medical facility" means a facility licensed or  
13 registered by a state or federal agency to provide health care  
14 services that receives any state funding, including pass-through  
15 federal money provided to a state agency for grant awards.

16 (8) "Software" means computer programs and related  
17 equipment used for genome sequencing or the operation, control,  
18 analysis, research, or other functions of genome sequencers.

19 Sec. 174.003. APPLICABILITY. This chapter applies to a  
20 medical facility, research facility, company, or nonprofit  
21 organization that conducts research on or testing of genome  
22 sequencing or the human genome in this state.

23 Sec. 174.004. PURPOSE AND LEGISLATIVE POLICY. (a) The  
24 purpose of this chapter is to ensure that a medical facility,  
25 research facility, company, or nonprofit organization subject to  
26 this chapter does not provide a foreign adversary access to the  
27 genetic information of residents of this state.

1       (b) The policy of this state is to:

2               (1) oppose the collection and analysis of genomic  
3 information by a foreign adversary or for use by a foreign  
4 adversary; and

5               (2) support sanctions the United States Department of  
6 Commerce or the United States Department of Defense imposes on a  
7 medical facility, research facility, company, or nonprofit  
8 organization engaged in the collection and analysis of genomic  
9 information for use by a foreign adversary.

10       Sec. 174.005. PROHIBITED USE OF CERTAIN GENOME SEQUENCERS  
11 AND GENOME SEQUENCING TECHNOLOGIES. A medical facility, research  
12 facility, company, or nonprofit organization subject to this  
13 chapter may not use a genome sequencer or software produced by or on  
14 behalf of:

15               (1) a foreign adversary;

16               (2) a state-owned enterprise of a foreign adversary;

17               (3) a company or nonprofit organization domiciled  
18 within the borders of a country that is a foreign adversary; or

19               (4) an owned or controlled subsidiary or affiliate of  
20 a company or nonprofit organization domiciled within the borders of  
21 a country that is a foreign adversary.

22       Sec. 174.006. REQUIREMENTS FOR GENOMIC INFORMATION  
23 STORAGE. (a) A medical facility, research facility, company, or  
24 nonprofit organization subject to this chapter may not store any  
25 genome sequencing data of a resident of this state at a location  
26 within the borders of a country that is a foreign adversary.

27       (b) A medical facility, research facility, company, or

nonprofit organization subject to this chapter that stores genome sequencing data of residents of this state, including storage of genome sequencing data through a contract with a third-party data storage company, shall ensure the security of the genome sequencing data using reasonable encryption methods, restriction on access, and other cybersecurity best practices.

(c) A medical facility, research facility, company, or nonprofit organization subject to this chapter shall ensure genome sequencing data of residents of this state, other than open data, is inaccessible to any person located within the borders of a country that is a foreign adversary.

Sec. 174.007. REQUIRED ANNUAL CERTIFICATION OF COMPLIANCE.

(a) Not later than December 31 of each year, a medical facility, research facility, company, or nonprofit organization subject to this chapter shall certify to the attorney general that the facility, company, or organization is in compliance with this chapter.

(b) An attorney representing a medical facility, research facility, company, or nonprofit organization subject to this chapter shall submit the certification required under Subsection (a).

Sec. 174.008. INVESTIGATIVE AUTHORITY OF ATTORNEY GENERAL.

(a) The attorney general may investigate an allegation of a violation of this chapter.

(b) Any person may notify the attorney general of a violation or potential violation of this chapter.

Sec. 174.009. CIVIL PENALTY. (a) A medical facility,

1 research facility, company, or nonprofit organization that  
2 violates this chapter is liable to this state for a civil penalty of  
3 \$10,000 for each violation.

4 (b) The attorney general may bring an action to recover the  
5 civil penalty imposed under this section.

6 (c) An action under this section may be brought in a  
7 district court in:

8 (1) Travis County; or

9 (2) a county in which any part of the violation occurs.

10 (d) The attorney general shall deposit a civil penalty  
11 collected under this section in the state treasury to the credit of  
12 the general revenue fund.

13 (e) The attorney general may recover reasonable expenses  
14 incurred in obtaining a civil penalty under this section, including  
15 court costs, reasonable attorney's fees, investigative costs,  
16 witness fees, and deposition expenses.

17 Sec. 174.010. PRIVATE CAUSE OF ACTION. (a) A resident of  
18 this state who is a patient or research subject of a medical  
19 facility, research facility, company, or nonprofit organization  
20 subject to this chapter and who is harmed by the storage or use of  
21 the patient's or subject's genome sequencing data in violation of  
22 this chapter may bring an action against the facility, company, or  
23 organization that violated this chapter and is entitled to obtain:

24 (1) the greater of:

25 (A) actual damages; or

26 (B) statutory damages in an amount not to exceed  
27 \$5,000 for each violation; and

1           (2) court costs and reasonable attorney's fees.

2           (b) An action under this section may be brought in the  
3 county in which the plaintiff resides.

4           (c) Sections 41.003 and 41.004, Civil Practice and Remedies  
5 Code, do not apply to an action brought under this section.

6           SECTION 2. The change in law made by this Act applies only  
7 to a cause of action that accrues on or after the effective date of  
8 this Act. A cause of action that accrues before the effective date  
9 of this Act is governed by the law in effect on the date the cause of  
10 action accrued, and the former law is continued in effect for that  
11 purpose.

12           SECTION 3. This Act takes effect September 1, 2025.

ADOPTED

MAY 19 2025

*Latey Law*  
Secretary of the Senate

By: *Bryan Hughes*

H.B. No. 130

Substitute the following for H.B. No. 130:

By: *Bryan Hughes*

C.S. H.B. No. 130

A BILL TO BE ENTITLED

1 AN ACT

2 relating to genetic information security for residents of this  
3 state; providing a civil penalty; providing a private cause of  
4 action.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subtitle H, Title 2, Health and Safety Code, is  
7 amended by adding Chapter 174 to read as follows:

8 CHAPTER 174. SECURITY OF GENETIC INFORMATION

9 Sec. 174.001. SHORT TITLE. This chapter may be cited as the  
10 Texas Genomic Act of 2025.

11 Sec. 174.002. DEFINITIONS. In this chapter:

12 (1) "Company" means a sole proprietorship,  
13 organization, association, corporation, partnership, joint  
14 venture, limited partnership, limited liability partnership, or  
15 limited liability company that exists to make a profit. The term  
16 includes a wholly owned subsidiary, majority-owned subsidiary,  
17 parent company, or affiliate of those entities or business  
18 associations.

19 (2) "Domicile" means the country in which:

20 (A) a company or nonprofit organization is  
21 formed, incorporated, or registered and headquartered;

22 (B) a company's or nonprofit organization's  
23 affairs are primarily conducted; or

24 (C) the majority of the company's ownership

1 shares are held.

2 (3) "Foreign adversary" has the meaning assigned by 15  
3 C.F.R. Section 791.4(a).

4 (4) "Genome sequencer" means any device or platform  
5 used to conduct genome sequencing, resequencing, or isolation or  
6 other genome research.

7 (5) "Genome sequencing" means any method used to  
8 determine the identity and order of nucleotide bases in the human  
9 genome.

10 (6) "Human genome" means the set of DNA found in human  
11 cells.

12 (7) "Medical facility" means a facility licensed or  
13 registered by a state or federal agency to provide health care  
14 services that receives any state funding, including pass-through  
15 federal money provided to a state agency for grant awards.

16 (8) "Software" means computer programs and related  
17 equipment used for genome sequencing or the operation, control,  
18 analysis, research, or other functions of genome sequencers.

19 Sec. 174.003. APPLICABILITY. This chapter applies to a  
20 medical facility, research facility, company, or nonprofit  
21 organization that conducts research on or testing of genome  
22 sequencing or the human genome in this state.

23 Sec. 174.004. PURPOSE AND LEGISLATIVE POLICY. (a) The  
24 purpose of this chapter is to ensure that a medical facility,  
25 research facility, company, or nonprofit organization subject to  
26 this chapter does not provide a foreign adversary access to the  
27 genetic information of residents of this state.



1       (b) The policy of this state is to:

2               (1) oppose the collection and analysis of genomic  
3 information by a foreign adversary or for use by a foreign  
4 adversary; and

5               (2) support sanctions the United States Department of  
6 Commerce or the United States Department of Defense imposes on a  
7 medical facility, research facility, company, or nonprofit  
8 organization engaged in the collection and analysis of genomic  
9 information for use by a foreign adversary.

10       Sec. 174.005. PROHIBITED USE OF CERTAIN GENOME SEQUENCERS  
11 AND GENOME SEQUENCING TECHNOLOGIES. A medical facility, research  
12 facility, company, or nonprofit organization subject to this  
13 chapter may not use a genome sequencer or software produced by or on  
14 behalf of:

15               (1) a foreign adversary;

16               (2) a state-owned enterprise of a foreign adversary;

17               (3) a company or nonprofit organization domiciled  
18 within the borders of a country that is a foreign adversary; or

19               (4) an owned or controlled subsidiary or affiliate of  
20 a company or nonprofit organization domiciled within the borders of  
21 a country that is a foreign adversary.

22       Sec. 174.006. PROHIBITED SALE OF GENOMIC INFORMATION IN  
23 BANKRUPTCY OR REORGANIZATION. A medical facility, research  
24 facility, company, or nonprofit organization subject to this  
25 chapter may not sell or otherwise transfer genomic sequencing data  
26 of residents of this state as part of a bankruptcy proceeding or  
27 pursuant to a plan of reorganization under Chapter 11 of the United

1 States Bankruptcy Code (11 U.S.C. Section 1101 et seq.) to:

2 (1) a foreign adversary;

3 (2) a state-owned enterprise of a foreign adversary;

4 (3) a company or nonprofit organization domiciled  
5 within the borders of a country that is a foreign adversary; or

6 (4) an owned or controlled subsidiary or affiliate of  
7 a company or nonprofit organization domiciled within the borders of  
8 a country that is a foreign adversary.

9 Sec. 174.007. REQUIREMENTS FOR GENOMIC INFORMATION  
10 STORAGE. (a) A medical facility, research facility, company, or  
11 nonprofit organization subject to this chapter may not store any  
12 genome sequencing data of a resident of this state at a location  
13 within the borders of a country that is a foreign adversary.

14 (b) A medical facility, research facility, company, or  
15 nonprofit organization subject to this chapter that stores genome  
16 sequencing data of residents of this state, including storage of  
17 genome sequencing data through a contract with a third-party data  
18 storage company, shall ensure the security of the genome sequencing  
19 data using reasonable encryption methods, restriction on access,  
20 and other cybersecurity best practices.

21 (c) A medical facility, research facility, company, or  
22 nonprofit organization subject to this chapter shall ensure genome  
23 sequencing data of residents of this state, other than open data, is  
24 inaccessible to any person located within the borders of a country  
25 that is a foreign adversary.

26 (d) This section does not apply to the storage of genome  
27 sequencing data by a medical facility, research facility, company,

1 or nonprofit organization subject to this chapter that is collected  
2 as part of a clinical trial or other biomedical research study  
3 subject to, or conducted in accordance with, 28 C.F.R. Part 202.

4 Sec. 174.008. REQUIRED ANNUAL CERTIFICATION OF COMPLIANCE.

5 (a) Not later than December 31 of each year, a medical facility,  
6 research facility, company, or nonprofit organization subject to  
7 this chapter shall certify to the attorney general that the  
8 facility, company, or organization is in compliance with this  
9 chapter.

10 (b) An attorney representing a medical facility, research  
11 facility, company, or nonprofit organization subject to this  
12 chapter shall submit the certification required under Subsection  
13 (a).

14 Sec. 174.009. INVESTIGATIVE AUTHORITY OF ATTORNEY GENERAL.

15 (a) The attorney general may investigate an allegation of a  
16 violation of this chapter.

17 (b) Any person may notify the attorney general of a  
18 violation or potential violation of this chapter.

19 Sec. 174.010. CIVIL PENALTY. (a) A medical facility,  
20 research facility, company, or nonprofit organization that  
21 violates this chapter is liable to this state for a civil penalty of  
22 \$10,000 for each violation.

23 (b) The attorney general may bring an action to recover the  
24 civil penalty imposed under this section.

25 (c) An action under this section may be brought in a  
26 district court in:

27 (1) Travis County; or

1           (2) a county in which any part of the violation occurs.

2           (d) The attorney general shall deposit a civil penalty  
3 collected under this section in the state treasury to the credit of  
4 the general revenue fund.

5           (e) The attorney general may recover reasonable expenses  
6 incurred in obtaining a civil penalty under this section, including  
7 court costs, reasonable attorney's fees, investigative costs,  
8 witness fees, and deposition expenses.

9           Sec. 174.011. PRIVATE CAUSE OF ACTION. (a) A resident of  
10 this state who is a patient or research subject of a medical  
11 facility, research facility, company, or nonprofit organization  
12 subject to this chapter and who is harmed by the storage or use of  
13 the patient's or subject's genome sequencing data in violation of  
14 this chapter may bring an action against the facility, company, or  
15 organization that violated this chapter and is entitled to obtain:

16           (1) the greater of:

17                   (A) actual damages; or

18                   (B) statutory damages in an amount not to exceed  
19 \$5,000 for each violation; and

20           (2) court costs and reasonable attorney's fees.

21           (b) An action under this section may be brought in the  
22 county in which the plaintiff resides.

23           (c) Sections 41.003 and 41.004, Civil Practice and Remedies  
24 Code, do not apply to an action brought under this section.

25           SECTION 2. (a) Except as provided by Subsection (b) of this  
26 section, the change in law made by this Act applies only to a cause  
27 of action that accrues on or after the effective date of this Act. A

1 cause of action that accrues before the effective date of this Act  
2 is governed by the law in effect on the date the cause of action  
3 accrued, and the former law is continued in effect for that purpose.

4 (b) Section 174.006, Health and Safety Code, as added by  
5 this Act, applies only to a bankruptcy filing that occurs on or  
6 after the effective date of this Act.

7 SECTION 3. This Act takes effect September 1, 2025.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 20, 2025**

**TO:** Honorable Dustin Burrows, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB130** by Bonnen (Relating to genetic information security for residents of this state; providing a civil penalty; providing a private cause of action.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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It is assumed that any costs or revenue implications resulting from the implementation of the bill would be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 503 Texas Medical Board, 529 Health and Human Services Commission, 537 State Health Services, Department of, 542 Cancer Prevention and Research Institute of Texas, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

**LBB Staff:** JMc, SD, WP, MGol, LBO, BCa

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 13, 2025**

**TO:** Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB130** by Bonnen (relating to genetic information security for residents of this state; providing a civil penalty; providing a private cause of action.), **Committee Report 2nd House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
---

It is assumed that any costs or revenue implications resulting from the implementation of the bill would be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 503 Texas Medical Board, 529 Health and Human Services Commission, 537 State Health Services, Department of, 542 Cancer Prevention and Research Institute of Texas, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

**LBB Staff:** JMc, WP, MGol, LBO, BCa

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 2, 2025**

**TO:** Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB130** by Bonnen (Relating to genetic information security for residents of this state; providing a civil penalty; providing a private cause of action.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

It is assumed that any costs or revenue implications resulting from the implementation of the bill would be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 503 Texas Medical Board, 529 Health and Human Services Commission, 537 State Health Services, Department of, 542 Cancer Prevention and Research Institute of Texas, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

**LBB Staff:** JMc, WP, MGol, LBO, BCa



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**April 13, 2025**

**TO:** Honorable Cole Hefner, Chair, House Committee on Homeland Security, Public Safety & Veterans' Affairs

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB130** by Bonnen (relating to genetic information security for residents of this state; providing a civil penalty; providing a private cause of action.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
---

It is assumed that any costs or revenue implications resulting from the implementation of the bill would be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 503 Texas Medical Board, 529 Health and Human Services Commission, 537 State Health Services, Department of, 542 Cancer Prevention and Research Institute of Texas, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

**LBB Staff:** JMc, MGol, LBO, BCa, WP

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**April 1, 2025**

**TO:** Honorable Cole Hefner, Chair, House Committee on Homeland Security, Public Safety & Veterans' Affairs

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB130** by Bonnen (Relating to genetic information security for residents of this state; providing a civil penalty; providing a private cause of action.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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It is assumed that any costs or revenue implications resulting from the implementation of the bill would be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 503 Texas Medical Board, 529 Health and Human Services Commission, 537 State Health Services, Department of, 542 Cancer Prevention and Research Institute of Texas, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 781 Higher Education Coordinating Board, 783 University of Houston System Administration

**LBB Staff:** JMc, MGol, LBO, BCa, WP