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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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WOMEN'S HEALTH CAUCUS

House Consumer Protection, Technology and Utilities Committee

Voting Meeting

Agenda

September 30, 2025

10:00am

B-31 Main Capitol

Call to Order – Chairman Burgos

HB 505 (Rep. Donahue)

This bill proposes a comprehensive update to the Commonwealth's energy efficiency and conservation programs by enhancing energy savings for consumers.

Amendment A01770 (Burgos)

This amendment clarifies several provisions in the underlying bill, such as resilience language, reduction targets for public entities, low-income compliance rules, electric distribution line loss caps, plan duration and flexibility, total resource cost test adjustments, demand response language, EDC budgets, and the definition of “phase”.

HB 1496 (Rep. Abney)

This bill adds locally declared disaster emergencies to the Pirce Gouging Act.

HB 1530 (Rep. Burgos)

This bill establishes comprehensive privacy and security requirements for direct-to-consumer genetic testing companies.

Amendment A01773 (Metzgar)

This amendment clarifies that genetic data lawfully obtained by law enforcement is excluded from the Act.

Adjournment

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 505 Session of 2025

INTRODUCED BY DONAHUE, GIRAL, MADDEN, SAPPEY, HOWARD,
SCHLOSSBERG, KAZEEM, MALAGARI, NEILSON, SANCHEZ, KHAN,
O'MARA, CEPEDA-FREYTIZ, K.HARRIS, McNEILL, INGLIS, PROKOPIAK,
STEELE, SALISBURY, KRUEGER, BOROWSKI, BOYD, HOHENSTEIN,
PIELLI, FIEDLER AND KINKEAD, APRIL 23, 2025

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
UTILITIES, APRIL 23, 2025

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in restructuring of electric utility
3 industry, further providing for energy efficiency and
4 conservation program.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 2806.1 of Title 66 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 2806.1. Energy efficiency, resilience and conservation
10 program.

11 (a) Program.--The commission shall[, by January 15, 2009,]
12 adopt an energy efficiency, resilience and conservation program
13 to require electric distribution companies to adopt and
14 implement cost-effective energy efficiency, resilience and
15 conservation plans to reduce energy demand and consumption
16 within the service territory of each electric distribution
17 company in this Commonwealth. The program shall include:

1 (1) Procedures for the approval of plans submitted under
2 subsection (b).

3 (2) An evaluation process, including a process to
4 monitor and verify data collection, quality assurance and
5 results of each plan and the program.

6 (3) An analysis of the cost and benefit of each plan
7 submitted under subsection (b) in accordance with a total
8 resource cost test approved by the commission.

9 (4) An analysis of how the program and individual plans
10 will enable each electric distribution company to achieve or
11 exceed the requirements for reduction in consumption under
12 subsections (c) and (d).

13 (5) Standards to ensure that each plan includes a
14 variety of energy efficiency, resilience and conservation
15 measures, including measures that increase consumer
16 resilience to extreme weather events, and will provide the
17 measures equitably to all classes of customers.

18 (6) Procedures to make recommendations as to additional
19 measures that will enable an electric distribution company to
20 improve its plan and exceed the required reductions in
21 consumption under subsections (c) and (d) while increasing
22 consumer resilience to extreme weather events.

23 (7) Procedures to require that electric distribution
24 companies competitively bid all contracts with conservation
25 service providers, unless alternative procedures are
26 otherwise authorized by the commission.

27 (8) Procedures to review all proposed contracts prior to
28 the execution of the contract with conservation service
29 providers to implement the plan. The commission may order the
30 modification of a proposed contract to ensure that the plan

1 meets the requirements for reduction in demand and
2 consumption under subsections (c) and (d).

3 (9) Procedures to ensure compliance with requirements
4 for reduction in consumption under subsections (c) and (d).

5 (10) A requirement for the participation of conservation
6 service providers in the implementation of all or part of a
7 plan.

8 (11) Cost recovery to ensure that measures approved are
9 financed by the same customer class or classes that will
10 receive the direct energy and conservation benefits.

11 (b) Duties of electric distribution companies.--

12 (1) (i) [By July 1, 2009, each] Each electric
13 distribution company shall develop and file an energy
14 efficiency, resilience and conservation plan with the
15 commission for approval to meet the requirements of
16 subsection (a) and the requirements for reduction in
17 consumption under subsections (c) and (d). The plan shall
18 be implemented upon approval by the commission. The
19 following are the plan requirements:

20 (A) The plan shall include specific proposals to
21 implement energy efficiency, resilience and
22 conservation measures, including measures that
23 increase consumer resilience to extreme weather
24 events, to achieve or exceed the required reductions
25 in consumption under subsections (c) and (d).

26 (B) [A minimum of 10%] The commission shall
27 approve a targeted required reduction requiring a
28 minimum of no greater than 10% of the required
29 reductions in consumption under subsections (c) and
30 (d) [shall] to be obtained from units of Federal,

1 State and local government, including municipalities,
2 school districts, institutions of higher education
3 [and], nonprofit entities and housing authorities,
4 and from subsidized housing.

5 (C) The plan shall explain how quality assurance
6 and performance will be measured, verified and
7 evaluated.

8 (D) The plan shall state the manner in which the
9 plan will achieve the requirements of the program
10 under subsection (a) and will achieve or exceed the
11 required reductions in consumption under subsections
12 (c) and (d) while increasing consumer resilience to
13 extreme weather events.

14 (E) The plan shall include a contract with one
15 or more conservation service providers selected by
16 competitive bid or other selection mechanism to
17 implement the plan or a portion of the plan as
18 approved by the commission.

19 (F) The plan shall include estimates of the cost
20 of implementation of the energy efficiency,
21 resilience and conservation measures in the plan.

22 (G) The plan shall include specific energy
23 efficiency measures and programs that result in
24 reductions in consumption for households at or below
25 150% of the Federal poverty income guidelines[. The
26 number of measures] or an alternative income level
27 established by the commission not less than 150% of
28 the Federal poverty income guidelines. The reductions
29 in consumption shall be proportionate to those
30 households' share of the total energy usage in the

1 service territory. The electric distribution company
2 shall coordinate measures under this clause with
3 other programs administered by the commission or
4 another Federal or State agency. Upon request by an
5 electric distribution company, the commission may
6 establish an alternative compliance mechanism for
7 direct installation of energy-efficient equipment
8 that produces quantifiable and verified reductions in
9 energy consumption for households at or below the
10 income level established in this clause. The amount
11 of funding proposed for an alternative compliance
12 mechanism may not be less than the amount expended by
13 the electric distribution company for specific energy
14 efficiency measures or programs for households at or
15 below 150% of the Federal poverty income guidelines,
16 or the alternative income level established by the
17 commission under this clause, in the prior five-year
18 evaluation period. The expenditures of an electric
19 distribution company under this clause shall be in
20 addition to expenditures made under 52 Pa. Code Ch.
21 58 (relating to residential low income usage
22 reduction programs).

23 (H) The plan shall include a proposed cost-
24 recovery tariff mechanism, in accordance with
25 [section 1307 (relating to sliding scale of rates;
26 adjustments)] subsection (k), to fund the energy
27 efficiency, resilience and conservation measures and
28 to ensure full and current recovery of the prudent
29 and reasonable costs of the plan, including
30 administrative costs, as approved by the commission.

1 (I) The electric distribution company shall
2 demonstrate that the plan is cost effective using a
3 total resource cost test approved by the commission
4 and provides a diverse cross section of alternatives
5 for customers of all rate classes.

6 (J) The plan shall require an annual independent
7 evaluation of its cost-effectiveness and a full
8 review of the results of each five-year plan required
9 under subsection (c)(3) and, to the extent practical,
10 how the plan will be adjusted on a going-forward
11 basis as a result of the evaluation.

12 (K) The plan shall include an analysis of the
13 electric distribution company's administrative costs.

14 (ii) A new plan shall be filed with the commission
15 every five years or as otherwise required by the
16 commission. The plan shall set forth the manner in which
17 the company will meet the required reductions in
18 consumption under subsections (c) and (d).

19 [(iii) No more than 2% of funds available to
20 implement a plan under this subsection shall be allocated
21 for experimental equipment or devices.]

22 (iv) No more than 5% of funds available to implement
23 a plan under this subsection shall be allocated for
24 behind-the-meter pilot programs, experimental equipment
25 or devices or other investments in innovative
26 technologies and management practices that reduce energy
27 consumption.

28 (v) Up to 15% of funds available to implement a plan
29 under this subsection may be allocated for measures to
30 reduce distribution system loss.

1 (vi) Up to 10% of funds available to implement a
2 plan under this subsection may be allocated for
3 preweatherization health and safety upgrades necessary
4 for enabling energy efficiency, resilience and
5 conservation measures, including mold and moisture
6 remediation, electrical panel upgrades and structural
7 repairs, for households at or below 150% of the Federal
8 poverty income guidelines or the alternative income level
9 established by the commission under subparagraph (i) (G).

10 (2) The commission shall direct an electric distribution
11 company to modify or terminate any part of a plan approved
12 under this section if, after an adequate period for
13 implementation, the commission determines that an energy
14 efficiency, resilience or conservation measure included in
15 the plan will not achieve the required reductions in
16 consumption in a cost-effective manner under subsections (c)
17 and (d).

18 (3) If part of a plan is modified or terminated under
19 paragraph (2), the electric distribution company shall submit
20 a revised plan describing actions to be taken to offer
21 substitute measures or to increase the availability of
22 existing measures in the plan to achieve the required
23 reductions in consumption under subsections (c) and (d).

24 (c) Reductions in consumption.--The plans adopted under
25 subsection (b) shall reduce [electric] energy consumption as
26 follows:

27 (1) By May 31, 2011, total annual weather-normalized
28 consumption of the retail customers of each electric
29 distribution company shall be reduced by a minimum of 1%. The
30 1% load reduction in consumption shall be measured against

1 the electric distribution company's expected load as
2 forecasted by the commission for June 1, 2009, through May
3 31, 2010, with provisions made for weather adjustments and
4 extraordinary loads that the electric distribution company
5 must serve.

6 (2) By May 31, 2013, the total annual weather-normalized
7 consumption of the retail customers of each electric
8 distribution company shall be reduced by a minimum of 3%. The
9 3% load reduction in consumption shall be measured against
10 the electric distribution company's expected load as
11 forecasted by the commission for June 1, 2009, through May
12 31, 2010, with provisions made for weather adjustments and
13 extraordinary loads that the electric distribution company
14 must serve.

15 (3) By November 30, 2013, and every five years
16 thereafter, the commission shall evaluate the costs and
17 benefits of the program established under subsection (a) and
18 of approved energy efficiency, resilience and conservation
19 plans submitted to the program[.], subject to the following:

20 (i) The evaluation shall be consistent with a total
21 resource cost test or a cost-benefit analysis determined
22 by the commission. If the commission determines that the
23 benefits of the program exceed the costs, the commission
24 shall adopt additional required incremental reductions in
25 consumption.

26 (ii) The assessment of costs and benefits shall
27 incorporate an assessment of the benefits of the program
28 with respect to increased grid and consumer resilience to
29 extreme weather events.

30 (iii) As of the effective date of this subparagraph,

1 the effective life of a plan adopted under subsection (b)
2 shall be the greater of 15 years or an alternative term
3 approved by the commission. The effective life of any
4 individual measure included in such a plan may exceed 15
5 years.

6 (iv) Measures and programs that result in reductions
7 in energy consumption for households at or below 150% of
8 the Federal poverty income guidelines, or the alternative
9 income level established by the commission under
10 subsection (b)(1)(i)(G), shall, with respect to those
11 reductions and for the exclusive purpose of the cost-
12 benefit evaluation of that specific measure or program
13 under this subsection, multiply the calculation of
14 benefits by two. The multiplication shall not be
15 undertaken for the purposes of calculating reductions in
16 consumption under subsection (b)(1)(i)(G) or the
17 financial incentive in subsection (k.1)(1)(ii).

18 (d) Peak demand.--The plans adopted under subsection (b)
19 shall reduce [electric] energy demand as follows:

20 (1) By May 31, 2013, the weather-normalized demand of
21 the retail customers of each electric distribution company
22 shall be reduced by a minimum of 4.5% of annual system peak
23 demand in the 100 hours of highest demand. The reduction
24 shall be measured against the electric distribution company's
25 peak demand for June 1, 2007, through May 31, 2008.

26 (2) By November 30, 2013, the commission shall compare
27 the total costs of energy efficiency, resilience and
28 conservation plans implemented under this section to the
29 total savings in energy and capacity costs to retail
30 customers in this Commonwealth or other costs determined by

1 the commission. If the commission determines that the
2 benefits of the plans exceed the costs, the commission shall
3 set additional incremental requirements for reduction in peak
4 demand for the 100 hours of greatest demand or an alternative
5 reduction approved by the commission. Reductions in demand
6 shall be measured from the electric distribution company's
7 peak demand for the period from June 1, 2011, through May 31,
8 2012. The reductions in consumption required by the
9 commission shall be accomplished no later than May 31, 2017.

10 (3) By November 30, 2030, the commission shall compare
11 the total costs of energy efficiency, resilience and
12 conservation plans implemented under this section to the
13 total savings in energy, resilience and capacity costs to
14 retail customers in this Commonwealth or other costs
15 determined by the commission. If the commission determines
16 that the benefits of the plans exceed the costs, the
17 commission shall set requirements for electric distribution
18 companies to establish a program addressing daily peak demand
19 or an alternative reduction program approved by the
20 commission. The reductions in consumption required by the
21 commission shall be accomplished no later than May 31, 2032.

22 (e) Commission approval.--

23 (1) The commission shall conduct a public hearing on
24 each plan and allow for the submission of recommendations by
25 the Office of Consumer Advocate and the Office of Small
26 Business Advocate and by members of the public as to how the
27 electric distribution company could improve its plan or
28 exceed the required reductions in consumption under
29 subsections (c) and (d).

30 (2) The commission shall approve or disapprove a plan

1 filed under subsection (b) within 120 days of submission. The
2 following shall apply to an order disapproving a plan:

3 (i) The commission shall describe in detail the
4 reasons for the disapproval.

5 (ii) The electric distribution company shall have 60
6 days to file a revised plan to address the deficiencies
7 identified by the commission. The revised plan shall be
8 approved or disapproved by the commission within 60 days.

9 (iii) The commission may not disapprove a plan
10 solely due to the inclusion of mechanical insulation,
11 including insulation materials, facings and accessory
12 products used for thermal requirements for mechanical
13 pipng and equipment, hot and cold applications and
14 heating, venting and air conditioning applications.

15 (f) Penalties.--

16 (1) The following shall apply for failure to submit a
17 plan:

18 (i) An electric distribution company that fails to
19 file a plan under subsection (b) shall [be subject to a
20 civil penalty of \$100,000 per] forfeit and pay to the
21 Commonwealth a sum determined by the commission pursuant
22 to its authority under section 3301 (relating to civil
23 penalties for violations) for each day until the plan is
24 filed.

25 (ii) An electric distribution company that fails to
26 file a revised plan under subsection (e)(2)(ii) shall [be
27 subject to a civil penalty of \$100,000 per] forfeit and
28 pay to the Commonwealth a sum determined by the
29 commission pursuant to its authority under section 3301
30 for each day until the plan is filed.

1 (iii) Penalties collected under this paragraph shall
2 be deposited in the low-income electric customer
3 assistance program of the energy distribution company for
4 the respective service territory.

5 (2) The following shall apply to an electric
6 distribution company that fails to achieve the reductions in
7 consumption required under subsection (c) or (d):

8 (i) The electric distribution company shall [be
9 subject to a civil penalty not less than \$1,000,000 and
10 not to exceed \$20,000,000] forfeit and pay to the
11 Commonwealth a sum determined by the commission pursuant
12 to its authority under section 3301 for failure to
13 achieve the required reductions in consumption under
14 subsection (c) or (d). In determining the sum, the
15 commission shall consider the extent to which an electric
16 distribution company undertook good faith efforts to
17 achieve the required reductions in consumption proposed
18 in its plan. Any penalty paid by an electric distribution
19 company under this subparagraph shall not be recoverable
20 from ratepayers.

21 (ii) If an electric distribution company fails to
22 achieve the required reductions in consumption under
23 subsection (c) or (d), responsibility to achieve the
24 reductions in consumption shall be transferred to the
25 commission. The commission shall do all of the following:

26 (A) Implement a plan to achieve the required
27 reductions in consumption under subsection (c) or
28 (d).

29 (B) Contract with conservation service providers
30 as necessary to implement any portion of the plan.

1 (iii) Penalties collected under this paragraph shall
2 be deposited into the hardship fund of the energy
3 distribution company for the respective service
4 territory.

5 (iv) No penalty assessed under this paragraph shall
6 be assessed upon an electric distribution company that
7 has timely and in good faith filed a plan subsequently
8 approved by the commission to achieve the required
9 reductions in consumption, and that complies entirely
10 with that plan, based on a failure to achieve the
11 required reductions during the period of that plan's
12 performance, if the electric distribution company:

13 (A) files a corrective action plan within 90
14 days to achieve the required reductions;

15 (B) does not pass the costs of developing or
16 implementing the corrective action plan along to
17 ratepayers; and

18 (C) complies with the corrective action plan and
19 achieves the required reductions within the time
20 frame specified in the corrective action plan.

21 (g) Limitation on costs.--The total cost of any plan
22 required under this section shall be set as follows:

23 (1) The total cost of any plan required under this
24 section prior to May 31, 2031, shall not exceed 2% of the
25 electric distribution company's total annual revenue as of
26 December 31, 2006.

27 (2) The total cost of any plan required under this
28 section after May 31, 2031, shall be set by the commission
29 after considering the following for each electric
30 distribution company in the prior commission program period:

- 1 (i) The total resource cost test.
- 2 (ii) The costs of implementing the program per
3 megawatt hour of electricity distributed.
- 4 (iii) The costs of implementing the program per
5 customer served.
- 6 (iv) The types and classes of customers served.
- 7 (3) The amount established under paragraph (2) shall not

8 be:

9 (i) Less than the amount established under paragraph
10 (1), increased by the same percentage as the total
11 percentage increase in the electric distribution
12 company's distribution base revenues between December 31,
13 2024, and January 1 of the penultimate year of the most
14 recent evaluation period.

15 (ii) More than the greater of:

16 (A) the amount specified in subparagraph (i); or

17 (B) the amount established under paragraph (1),
18 increased by the same percentage as the total
19 percentage increase in the Consumer Price Index for
20 household energy as published by the United States
21 Department of Labor, Bureau of Labor Statistics,
22 between December 31, 2006, and January 1 of the
23 penultimate year of the most recent evaluation
24 period.

25 (iii) Increased in any given evaluation period
26 beyond the amount specified in subparagraph (i) plus 20%
27 of the same amount.

28 (4) The amount established under paragraph (2) for each
29 evaluation period shall be published by the commission no
30 later than January 31 of the penultimate year of the

1 preceding evaluation period.

2 (5) The provisions of this paragraph shall not apply to
3 the cost of low-income usage reduction programs established
4 under 52 Pa. Code Ch. 58 (relating to residential low income
5 usage reduction programs).

6 (h) Costs.--The commission shall recover from electric
7 distribution companies the costs of implementing the program
8 established under this section.

9 (i) Report.--The following shall apply:

10 (1) Each electric distribution company shall submit an
11 annual report to the commission relating to the results of
12 the energy efficiency, resilience and conservation plan
13 within each electric distribution service territory. The
14 report shall include all of the following:

15 (i) Documentation of program expenditures.

16 (ii) Measurement and verification of energy savings
17 under the plan.

18 (iii) Evaluation of the cost-effectiveness of
19 expenditures.

20 (iv) Any other information required by the
21 commission.

22 (2) Beginning five years following the effective date of
23 this section and annually thereafter, the commission shall
24 submit a report to the Consumer Protection and Professional
25 Licensure Committee of the Senate and the Consumer Affairs
26 Committee of the House of Representatives.

27 (j) Existing funding sources.--Each electric distribution
28 company shall, upon request by any person, provide a list of all
29 eligible Federal and State funding programs available to
30 ratepayers for energy efficiency, resilience and conservation.

1 The list shall be posted on the electric distribution company's
2 Internet website.

3 (k) Recovery.--

4 (1) An electric distribution company shall recover on a
5 full and current basis from customers, through a reconcilable
6 adjustment clause under section 1307, all reasonable and
7 prudent costs incurred in the provision or management of a
8 plan provided under this section. This paragraph shall apply
9 to all electric distribution companies, including electric
10 distribution companies subject to generation or other rate
11 caps.

12 [(2) Except as set forth in paragraph (3), decreased
13 revenues of an electric distribution company due to reduced
14 energy consumption or changes in energy demand shall not be a
15 recoverable cost under a reconcilable automatic adjustment
16 clause.]

17 (3) Decreased revenue and reduced energy consumption may
18 be reflected in revenue and sales data used to calculate
19 rates in a distribution-base rate proceeding filed by an
20 electric distribution company under section 1308 (relating to
21 voluntary changes in rates).

22 (4) An electric distribution company may not include
23 costs incurred in the provision or management of a plan
24 provided under this section in rate based or the purposes of
25 calculating a rate-based rate of return.

26 (k.1) Incentives.--

27 (1) An energy efficiency, resilience and conservation
28 plan filed by an electric distribution company under this
29 section may include a financial incentive mechanism for the
30 electric distribution company. Payment and design of a

1 financial incentive authorized in the plan is subject to the
2 approval of the commission and the following conditions:

3 (i) A financial incentive may only be approved by
4 the commission based on quantifiable and verified
5 reductions in energy consumption beyond the target values
6 set by the commission, produced by investments made under
7 this part and not in the performance of other obligations
8 or as the result of energy savings attributed to
9 participation in other programs.

10 (ii) The total amount of a financial incentive
11 earned may not exceed the total of:

12 (A) Ten percent of the net benefits experienced
13 by electric distribution companies' customers above
14 150% of Federal poverty income guidelines or the
15 alternative income level established by the
16 commission under subsection (b) (1) (i) (G).

17 (B) Twenty-five percent of the net benefits
18 experienced by electric distribution companies'
19 customers at or below 150% of Federal poverty income
20 guidelines or the alternative income level
21 established by the commission under subsection (b) (1)
22 (i) (G).

23 (2) An incentive authorized under this subsection may
24 not be based on reductions in energy consumption over the
25 course of more than a single evaluation period.

26 (k.2) Industrial sector study.--

27 (1) Within one year of the effective date of this
28 subsection, the commission shall direct the Statewide
29 evaluator to undertake a review of the effectiveness of the
30 energy efficiency, resilience and conservation program with

1 respect to the industrial sector and prepare a report with
2 recommendations, if any, for the improvement of the program.

3 (2) The commission shall post the report to the
4 commission's publicly accessible Internet website. The report
5 shall address the effectiveness of the program, evaluate
6 inter-sector transfers and suggest other potential models for
7 reducing industrial energy demand.

8 (1) Applicability.--This section shall not apply to an
9 electric distribution company with fewer than 100,000 customers.

10 (m) Definitions.--As used in this section, the following
11 words and phrases shall have the meanings given to them in this
12 subsection:

13 "Conservation service provider." An entity that provides
14 information and technical assistance on measures to enable a
15 person to increase energy efficiency or reduce energy
16 consumption and that has no direct or indirect ownership,
17 partnership or other affiliated interest with an electric
18 distribution company.

19 "Consumer resilience." The ability of consumers to prepare
20 for threats and hazards, adapt to changing conditions and
21 withstand and recover rapidly from adverse conditions and
22 disruptions.

23 "Electric distribution company total annual revenue."
24 Amounts paid to the electric distribution company for
25 generation, transmission, distribution and surcharges by retail
26 customers.

27 "Energy efficiency, resilience and conservation measures."
28 The term includes:

29 (1) Technologies, management practices or other measures
30 employed by retail customers that reduce [electricity] energy

consumption or demand if all of the following apply:

(i) The technology, practice or other measure is installed on or after the effective date of this section at the location of a retail customer.

(ii) The technology, practice or other measure reduces consumption of energy or peak load by the retail customer.

(iii) The cost of the acquisition or installation of the measure is directly incurred in whole or in part by the electric distribution company.

(2) [Energy efficiency and conservation measures shall include solar] Solar or solar photovoltaic panels, battery systems, home fuel cells, energy efficient and temperature-moderating windows, building envelope upgrades and doors, cool roofs, energy efficient lighting, including exit sign retrofit, high bay fluorescent retrofit and pedestrian and traffic signal conversion, electrical panel and component upgrades, smart grid home energy technologies, virtual power plant systems, heat pump installation or retrofit, geothermal heating, insulation, air sealing, reflective roof coatings, energy efficient heating and cooling equipment or systems and energy efficient appliances, smart connected thermostats and other technologies, practices or measures approved by the commission.

(3) Measures that increase consumer resilience to extreme weather events and independently reduce energy consumption or demand if all of the following apply:

(i) The measure is installed on or after the effective date of this section at the location of a retail customer.

1 (ii) The measure reduces consumption of energy or
2 peak load by the retail customer.

3 (iii) The cost of the acquisition or installation of
4 the measure is directly incurred in whole or in part by
5 the electric distribution company.

6 "Measures that increase consumer resilience to extreme
7 weather events." Technologies, management practices or other
8 measures employed by retail customers that reduce the likelihood
9 or severity of power outages experienced by retail customers due
10 to extreme weather conditions, which are installed on or after
11 the effective date of this definition at the location of a
12 retail customer.

13 "Measures to reduce distribution system loss." The term
14 includes the retrofit or replacement of distribution systems
15 with advanced, resilient and energy-efficient conductors and
16 transformers and deployment of advanced sensors, meters,
17 switches, control systems and other components that increase
18 energy efficiency and grid resilience between and including the
19 substation and the individual consumer and other technologies,
20 practices or measures approved by the commission. The commission
21 shall review such technologies, practices or measures for
22 overall prudence and consistency with the long-term improvement
23 plan of the electric distribution company seeking approval of
24 the technology, practice or measure. The term shall not include
25 expenditures related to regular maintenance, measures mandated
26 under State law or regulation or measures for which an electric
27 distribution company would otherwise levy a distribution system
28 improvement charge.

29 "Net benefits." The value to consumers as a result of
30 quantifiable reductions in energy consumption from investments

1 made by the electric distribution company in the current
2 evaluation period, beyond the target values in the then-
3 applicable phase as established by the commission. The term does
4 not include value to consumers resulting from measures paid for
5 from sources other than the tariff mechanism provided for under
6 subsection (b) (1) (i) (K) or any savings carried over from a prior
7 phase.

8 "Peak demand." The highest electrical requirement occurring
9 during a specified period. For an electric distribution company,
10 the term shall mean the sum of the metered consumption for all
11 retail customers over that period.

12 "Quality assurance." All of the following:

13 (1) The auditing of buildings, equipment and processes
14 to determine the cost-effectiveness of energy efficiency,
15 resilience and conservation measures using nationally
16 recognized tools and certification programs.

17 (2) Independent inspection of completed energy
18 efficiency, resilience and conservation measures completed by
19 third-party entities to evaluate the quality of the completed
20 measure.

21 "Real-time price." A rate that directly reflects the
22 different cost of energy during each hour.

23 "Time-of-use rate." A rate that reflects the costs of
24 serving customers during different time periods, including off-
25 peak and on-peak periods, but not as frequently as each hour.

26 "Total resource cost test." A standard test that is met if,
27 over the effective life of [each plan not to exceed 15 years,
28 the net present value of the avoided monetary cost of supplying
29 electricity is greater than the net present value of the
30 monetary cost of energy efficiency conservation measures.] the

1 energy efficiency, resilience and conservation measures, the net
2 present value of the avoided cost of supplying utility service,
3 including the cost of generation, transmission and distribution
4 of electricity, gas, water and other nonenergy benefits, is
5 greater than the net present value of the incremental monetary
6 cost of the energy efficiency, resilience and conservation
7 measures. Nonenergy benefits considered in the test shall be
8 quantifiable and directly related to a program or service. The
9 value of avoided cost may include the time, location or load-
10 shifting value of the energy efficiency, resilience and
11 conservation measures. Spending on preweatherization health and
12 safety upgrades under subsection (b)(1)(v) may not be included
13 in the calculation of the standard test under this definition.

14 Section 2. In addition to the requirement under 66 Pa.C.S. §
15 2806.1(b)(1)(ii), the commission may require an electric
16 distribution company to file a new plan which meets the
17 requirements of this act.

18 Section 3. This act shall take effect as follows:

19 (1) The amendment or addition of 66 Pa.C.S. § 2806.1(e)

20 (2)(iii), (f), (k.1) and (k.2) shall take effect in 60 days.

21 (2) This section shall take effect immediately.

22 (3) The remainder of this act shall take effect May 31,

23 2031.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 505

Sponsor:

Printer's No. 1482

- 1 Amend Bill, page 1, line 9, by striking out ", resilience"
- 2 Amend Bill, page 1, line 12, by striking out ", resilience"
- 3 Amend Bill, page 1, line 14, by striking out ", resilience"
- 4 Amend Bill, page 2, line 14, by striking out ", resilience"
- 5 Amend Bill, page 2, lines 15 and 16, by striking out
- 6 "including measures that increase consumer resilience to extreme
- 7 weather events."
- 8 Amend Bill, page 2, lines 21 and 22, by striking out "while
- 9 increasing consumer resilience to extreme weather events"
- 10 Amend Bill, page 3, line 14, by striking out ", resilience"
- 11 Amend Bill, page 3, line 21, by striking out ", resilience"
- 12 Amend Bill, page 3, lines 22 through 24, by striking out
- 13 "including measures that" in line 22, all of line 23 and
- 14 "events." in line 24
- 15 Amend Bill, page 3, line 28, by striking out "minimum of no
- 16 greater than" and inserting
- 17 maximum of
- 18 Amend Bill, page 4, lines 12 and 13, by striking out "while
- 19 increasing consumer resilience to extreme weather events"
- 20 Amend Bill, page 4, lines 20 and 21, by striking out ",

1 resilience"

2 Amend Bill, page 4, line 27, by striking out "established"
3 and inserting

4 approved

5 Amend Bill, page 5, line 10, by inserting after "clause."

6 The alternative compliance mechanism may be
7 established based on a specified dollar amount of
8 funding provided for the direct installations by the
9 electric distribution companies.

10 Amend Bill, page 5, lines 17 and 18, by striking out "five-
11 year evaluation period" and inserting

12 phase

13 Amend Bill, page 5, line 27, by striking out ", resilience"

14 Amend Bill, page 6, line 28, by striking out "15%" and
15 inserting

16 10%

17 Amend Bill, page 7, line 4, by striking out ", resilience"

18 Amend Bill, page 7, line 14, by striking out ", resilience"

19 Amend Bill, page 8, line 18, by striking out ", resilience"

20 Amend Bill, page 8, lines 26 through 30, by striking out all
21 of lines 26 through 29 and "(iii)" in line 30 and inserting

22 (ii)

23 Amend Bill, page 9, line 2, by striking out "the greater of
24 15 years or an alternative" and inserting

25 a

26 Amend Bill, page 9, lines 6 through 17, by striking out all
27 of said lines

28 Amend Bill, page 9, line 27, by striking out ", resilience"

29 Amend Bill, page 10, line 4, by inserting after "demand"

1 where it occurs the second time

2 , daily peak demand

3 Amend Bill, page 10, lines 10 through 21, by striking out all
4 of said lines

5 Amend Bill, page 13, lines 28 through 30; page 14, lines 1
6 through 30; page 15, line 1; by striking out "set by the
7 commission" in line 28, all of lines 29 and 30 on page 13, all
8 of lines 1 through 30 on page 14 and all of line 1 on page 15
9 and inserting

10 the amount approved by the commission for the prior
11 phase, multiplied by the total percentage change in an
12 electric distribution company's distribution base revenue in
13 the prior phase.

14 (3) The commission may approve an increase in each
15 phase, not to exceed 20%, to the amount established under
16 subsection (g)(2) for an electric distribution company, in
17 order to achieve funding parity between electric distribution
18 companies on a per customer and megawatt basis, and to
19 reflect the increase in the Consumer Price Index for
20 household energy as published by the United States Department
21 of Labor, Bureau of Labor Statistics, between December 31,
22 2006, and the effective date of this paragraph.

23 Amend Bill, page 15, line 2, by striking out "(5)" and
24 inserting

25 (4)

26 Amend Bill, page 15, line 12, by striking out ", resilience"

27 Amend Bill, page 15, by inserting between lines 21 and 22

28 (v) An explanation of how the plan contributes to
29 enhancing consumer resilience to extreme weather events.

30 Amend Bill, page 15, line 30, by striking out ", resilience"

31 Amend Bill, page 16, line 27, by striking out ", resilience"

32 Amend Bill, page 17, line 25, by striking out "evaluation
33 period" and inserting

34 phase

1 Amend Bill, page 17, line 30, by striking out ", resilience"

2 Amend Bill, page 18, line 27, by striking out ", resilience"

3 Amend Bill, page 19, lines 25 through 30; page 20, lines 1
4 through 12; by striking out all of said lines on said pages

5 Amend Bill, page 21, line 2, by striking out "evaluation
6 period." and inserting

7 phase, which may be calculated through a cost-benefit
8 analysis determined by the commission and based on quantifiable
9 reductions in energy consumption.

10 Amend Bill, page 21, by inserting between lines 11 and 12

11 "Phase." A five-year period, or other time period as
12 required by the commission, during which a plan filed by an
13 electric distribution company and approved by the commission is
14 implemented.

15 Amend Bill, page 21, lines 14 and 15, by striking out ",
16 resilience"

17 Amend Bill, page 21, line 18, by striking out ", resilience"

18 Amend Bill, page 21, line 30; page 22, line 1; by striking
19 out "the" in line 30 on page 21 and "energy efficiency,
20 resilience and conservation measures" in line 1 on page 22 and
21 inserting

22 each plan

23 Amend Bill, page 22, line 6, by striking out ", resilience"

24 Amend Bill, page 22, line 10, by striking out ", resilience"

25 Amend Bill, page 22, lines 12 and 13, by striking out "may
26 not be included in" and inserting

27 and commission-approved programs designed for low income
28 households as authorized under section 2806.1(b)(1)(i)(G) shall
29 be excluded from

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1530

Sponsor:

Printer's No. 1787

1 Amend Bill, page 7, lines 5 and 6, by striking out "from a
2 crime scene reasonably suspected to belong to a putative suspect
3 in a criminal case"

HB 1496

Legislative Reference Bureau

AN ACT

Amending the act of October 31, 2006 (P.L.1210, No.133), known as the Price Gouging Act, further providing for definitions and for price gouging prohibited.

INTRODUCED May 21, 2025

By Abney, Aerion District NO. 19

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

☐ Prior Session _____

AN ACT

1 Amending the act of October 31, 2006 (P.L.1210, No.133),
2 entitled "An act prohibiting price gouging; and imposing
3 penalties," further providing for definitions and for price
4 gouging prohibited.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The definition of "unconscionably excessive" in
8 section 3 of the act of October 31, 2006 (P.L.1210, No.133),
9 known as the Price Gouging Act, is amended to read:

10 Section 3. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 * * *

15 "Unconscionably excessive." A price is unconscionably
16 excessive when the amount charged represents a gross disparity
17 between the price of the consumer goods or services and the
18 price at which the consumer goods or services were sold or

1 offered for sale within the chain of distribution in the usual
2 course of business seven days immediately prior to the state of
3 disaster emergency or local disaster emergency.

4 Section 2. Section 4(a), (b) and (e) of the act are amended
5 to read:

6 Section 4. Price gouging prohibited.

7 (a) Prohibition.--During and within 30 days of the
8 termination of a state of disaster emergency declared by the
9 Governor pursuant to the provisions of 35 Pa.C.S. § 7301(c)
10 (relating to general authority of Governor) or a local disaster
11 emergency declared by the local governing body pursuant to the
12 provisions of 35 Pa.C.S. § 7501 (relating to the general
13 authority of political subdivisions), it shall be a violation of
14 this act for any party within the chain of distribution of
15 consumer goods or services or both to sell or offer to sell the
16 goods or services within the geographic region that is the
17 subject of the declared emergency for an amount which represents
18 an unconscionably excessive price.

19 (b) Evidence of unconscionably excessive price.--It is prima
20 facie evidence that a price is unconscionably excessive if,
21 during and within 30 days of the termination of a state of
22 disaster emergency or local disaster emergency, parties within
23 the chain of distribution charge a price that exceeds an amount
24 equal to or in excess of 20% of the average price at which the
25 same or similar consumer goods or services were obtainable in
26 the affected area during the last seven days immediately prior
27 to the declared state of emergency.

28 * * *

29 (e) Notification.--A trade association, corporation,
30 partnership, person or other entity may register an agent for

1 the purpose of being notified when the Governor declares and
2 ceases a state of emergency or when a local governing body
3 declares and ceases a local disaster emergency. The Governor,
4 local governing body or [his] a designee is responsible for
5 notifying the registered agents upon the declaration and
6 cessation of the state of emergency or local disaster emergency.
7 Lack of notification or the failure to receive notification of
8 the declaration and cessation of an emergency shall not be a
9 defense with respect to any violation of this act.

10 Section 3. This act shall take effect in 60 days.

CSM No. **40036**Draft No. **D04807**

Co-Sponsorship Report

Posted: May 5, 2025 12:16 PM

To: All House Members

From: Representative Aerion Abney and Representative Jessica Benham, Representative Emily Kinkead, Representative Abigail Salisbury, Representative La'Tasha D. Mayes, Representative Arvind Venkat, Representative Dan Goughnour, Representative John C. Inglis III, Representative Brandon J. Markosek, Representative Anita Astorino Kulik, Representative Dan Frankel, Representative Daniel J. Deasy, Representative Joe McAndrew, Representative Mandy Steele, Representative Lindsay Powell, Representative Dan L. Miller, Representative Robert F. Matzie

Subject: **Prohibiting Price Gouging During Local Disaster Emergencies**

Prime Sponsor

Representative Aerion Abney

Co-Sponsors

- | | |
|--|-------------------|
| 1. Representative Jessica Benham | added by nallen |
| 2. Representative Emily Kinkead | added by nallen |
| 3. Representative Abigail Salisbury | added by nallen |
| 4. Representative La'Tasha D. Mayes | added by nallen |
| 5. Representative Arvind Venkat | added by nallen |
| 6. Representative Dan Goughnour | added by nallen |
| 7. Representative John C. Inglis III | added by nallen |
| 8. Representative Brandon J. Markosek | added by nallen |
| 9. Representative Anita Astorino Kulik | added by nallen |
| 10. Representative Dan Frankel | added by nallen |
| 11. Representative Daniel J. Deasy | added by nallen |
| 12. Representative Joe McAndrew | added by nallen |
| 13. Representative Mandy Steele | added by nallen |
| 14. Representative Lindsay Powell | added by nallen |
| 15. Representative Dan L. Miller | added by nallen |
| 16. Representative Robert F. Matzie | added by nallen |
| 17. Representative Benjamin V. Sanchez | added by bsanchez |

- | | |
|---|-------------------------|
| 18. Representative Chris Pielli | added by cpielli |
| 19. Representative Nikki Rivera | added by nrivera |
| 20. Representative Joseph C. Hohenstein | added by tgontek |
| 21. Representative Johanny Cepeda-Freytiz | added by jcepedafreytiz |
| 22. Representative Justin C. Fleming | added by jfleming |
| 23. Representative Maureen E. Madden | added by mmadden |
| 24. Representative Ed Neilson | added by jsander |
| 25. Representative Joe Ciresi | added by ateplyakov |
| 26. Representative Pat Gallagher | added by dwyszynski |
| 27. Representative Jim Haddock | added by jhaddock |
| 28. Representative David M. Delloso | added by ddelloso |

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1530 Session of
2025

INTRODUCED BY BURGOS, PIELLI, MAYES, HILL-EVANS, GIRAL, NEILSON,
SANCHEZ, McANDREW, BOROWSKI, KENYATTA, DONAHUE, CERRATO,
WARREN, RIVERA, BOYD, E. NELSON, BIZZARRO, McNEILL, CEPEDA-
FREYTIZ, TOMLINSON AND CIRESI, MAY 30, 2025

REFERRED TO COMMITTEE ON CONSUMER PROTECTION, TECHNOLOGY AND
UTILITIES, MAY 30, 2025

AN ACT

1 Providing for duties of direct-to-consumer genetic testing
2 companies and for prohibition on disclosure of genetic data
3 of consumers; and imposing civil penalties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Genetic
8 Information Privacy Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Biological sample." A material part of, or discharge from,
14 a human being or a derivative of a material part of, or
15 discharge from, a human being, including tissue, blood, urine
16 and saliva, known to contain DNA.

17 "Consumer." An individual who is a resident of this

1 Commonwealth.

2 "Deidentified data." Data that cannot reasonably be used to
3 infer information about, or otherwise be linked to, an
4 identifiable consumer that is subject to all of the following:

5 (1) Administrative and technical measures to ensure that
6 the data cannot be associated with a particular consumer.

7 (2) A public commitment by a direct-to-consumer genetic
8 testing company to maintain and use the data in a
9 deidentified form and to not attempt to reidentify the data.

10 (3) Legally enforceable contractual obligations that
11 prohibit a recipient of the data from attempting to
12 reidentify the data.

13 "Direct-to-consumer genetic testing company" or "company."

14 As follows:

15 (1) An entity that:

16 (i) offers a direct-to-consumer genetic testing
17 product or service; or

18 (ii) collects, uses or analyzes genetic data
19 provided to the entity by a consumer as a result of a
20 direct-to-consumer genetic testing product or service.

21 (2) The term does not include an entity that is only
22 engaged in collecting, using or analyzing genetic data or
23 biological samples in the context of research, as defined in
24 45 CFR 164.501 (relating to definitions), that is conducted
25 in accordance with 21 CFR Ch. I Subch. A Pts. 50 (relating to
26 protection of human subjects) and 56 (relating to
27 institutional review boards), 45 CFR Subt. A Subch. A Pt. 46
28 (relating to protection of human subjects) and the Good
29 Clinical Practice Guideline issued by the International
30 Council for Harmonisation.

1 "DNA." Deoxyribonucleic acid.

2 "Express consent." A consumer's affirmative response to a
3 clear, meaningful and prominent notice regarding the collection,
4 use or disclosure of genetic data for a specific purpose.

5 "Genetic data." Any data, regardless of the format of the
6 data, that concerns a consumer's genetic characteristics. The
7 term does not include deidentified data. The term includes any
8 of the following:

9 (1) Raw sequence data that results from sequencing of a
10 consumer's complete extracted DNA or a portion of the
11 extracted DNA.

12 (2) Genotypic and phenotypic information that results
13 from analyzing the raw sequence data.

14 (3) Self-reported health information that a consumer
15 submits to a direct-to-consumer genetic testing company
16 regarding the consumer's health conditions and that is used
17 for scientific research or product development and analyzed
18 in connection with the consumer's raw sequence data.

19 "Genetic testing." A laboratory test of a consumer's
20 complete DNA, regions of DNA, chromosomes, genes or gene
21 products to determine the presence of genetic characteristics of
22 the consumer.

23 "Person." An individual, partnership, corporation,
24 association, business, business trust or legal representative of
25 an organization.

26 Section 3. Duties of direct-to-consumer genetic testing
27 companies.

28 In order to safeguard the privacy, confidentiality, security
29 and integrity of a consumer's genetic data, a direct-to-consumer
30 genetic testing company shall have the following duties:

1 (1) Provide clear and complete information regarding the
2 company's policies and procedures for the collection, use or
3 disclosure of genetic data by making all of the following
4 available to a consumer:

5 (i) A high-level privacy policy overview that
6 includes basic, essential information about the
7 company's collection, use or disclosure of genetic data.

8 (ii) A prominent, publicly available privacy notice
9 with information about the company's data collection,
10 consent, use, access, disclosure, transfer, security and
11 retention and deletion practices.

12 (2) Obtain a consumer's consent for the collection, use
13 or disclosure of the consumer's genetic data, which includes
14 all of the following:

15 (i) Initial express consent that clearly describes
16 the uses of the consumer's genetic data collected through
17 the genetic testing product or service and specifies who
18 has access to test results and how the genetic data may
19 be shared.

20 (ii) Separate express consent for transferring or
21 disclosing the consumer's genetic data to a person other
22 than the company's vendor or service provider or for
23 using the consumer's genetic data beyond the primary
24 purpose of the genetic testing product or service and
25 inherent contextual uses.

26 (iii) Separate express consent for the retention of
27 a biological sample provided by the consumer after
28 completion of the initial testing service requested by
29 the consumer.

30 (iv) Informed consent in accordance with 45 CFR

1 Subt. A Subch. A Pt. 46 (relating to protection of human
2 subjects) for the transfer or disclosure of the
3 consumer's genetic data to a third-party person for
4 research purposes or research conducted under the control
5 of the company for the purpose of publication or
6 generalizable knowledge.

7 (v) Express consent for marketing to the consumer
8 based on the consumer's genetic data or for marketing by
9 a third-party person to the consumer based on the
10 consumer having ordered or purchased a genetic testing
11 product or service. As used in this subparagraph, the
12 term "marketing" does not include the provision of
13 customized content or offers on an Internet website or
14 through an application or service provided by a direct-
15 to-consumer genetic testing company with a first-party
16 relationship to a consumer.

17 (3) Require a valid legal process for disclosing genetic
18 data to a law enforcement agency or any other Federal, State
19 or local government entity without the consumer's express
20 written consent.

21 (4) Develop, implement and maintain a comprehensive
22 security program to protect the consumer's genetic data
23 against unauthorized access, use or disclosure.

24 (5) Provide a process for the consumer to:

25 (i) access the consumer's genetic data;

26 (ii) delete the consumer's account and genetic data;

27 and

28 (iii) request and obtain the destruction of the
29 consumer's biological sample.

30 (6) Otherwise comply with Federal and State laws

1 regarding the privacy, confidentiality, security and
2 integrity of the consumer's genetic data.

3 Section 4. Prohibition on disclosure of genetic data of
4 consumers.

5 Notwithstanding the provisions of section 3, a direct-to-
6 consumer genetic testing company may not disclose a consumer's
7 genetic data to any of the following without the consumer's
8 written consent:

9 (1) An entity offering health insurance, life insurance
10 or long-term care insurance.

11 (2) An employer of the consumer.

12 Section 5. Civil penalties.

13 The Office of Attorney General may bring a civil action in
14 the name of the Commonwealth or on behalf of consumers to
15 enforce the provisions of this act in a court of competent
16 jurisdiction. In an action brought under this section, the court
17 may impose a civil penalty of \$2,500 for each violation of this
18 act, the recovery of actual damages incurred by consumers on
19 whose behalf the action was brought and the costs and reasonable
20 attorney fees incurred by the Office of Attorney General.

21 Section 6. Applicability.

22 This act shall not apply to any of the following:

23 (1) Protected health information that is collected by a
24 covered entity or business associate governed by the privacy,
25 security and breach notification regulations issued by the
26 United States Department of Health and Human Services under
27 45 CFR Subt. A Subch. C Pts. 160 (relating to general
28 administrative requirements) and 164 (relating to security
29 and privacy) and established under the Health Insurance
30 Portability and Accountability Act of 1996 (Public Law 104-

1 191, 110 Stat. 1936) and the Health Information Technology
2 for Economic and Clinical Health Act (Public Law 111-5, 123
3 Stat. 226-279 and 467-496).

4 (2) Biological samples or genetic data lawfully obtained
5 by a law enforcement agency from a crime scene reasonably
6 suspected to belong to a putative suspect in a criminal case.

7 (3) Biological samples or genetic data obtained from a
8 deceased individual whose identity is unknown solely for the
9 purposes of identifying the individual.

10 Section 7. Effective date.

11 This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1530 PN1787	Prepared By:	Timothy Scott (717) 783-0250,6451
Committee:	Consumer Protection & Utilities	Executive Director:	Timothy Scott
Sponsor:	Burgos, Danilo		
Date:	9/9/2025		

A. Brief Concept

This legislation establishes comprehensive privacy and security requirements for direct-to-consumer genetic testing companies to protect consumer genetic data from misuse, unauthorized access, and discriminatory practices.

C. Analysis of the Bill

Purpose

This legislation establishes comprehensive privacy and security requirements for direct-to-consumer genetic testing companies to protect consumer genetic data from misuse, unauthorized access, and discriminatory practices.

Key Provisions

1. Consumer Rights and Transparency

Companies must provide: A clear privacy policy overview.

A detailed, publicly available privacy notice outlining data practices.

2. Informed and Granular Consent

Companies must obtain explicit consumer consent for: Collection, use, and sharing of genetic data.

Sharing data with third parties beyond service providers.

Retaining biological samples after testing.

Using data for research (must comply with federal human subject protections).

Marketing based on genetic data.

3. Government Access Restrictions

Genetic data may only be disclosed to law enforcement or government entities with a valid legal process and consumer consent.

4. Data Security and Consumer Control

Companies must: Implement a comprehensive security program.

Provide consumers with the ability to: Access their genetic data.

Delete their account and data.

Request destruction of biological samples.

5. Prohibited Disclosures

Without written consent, companies may not disclose genetic data to: Health, life, or long-term care insurers.

Employers.

Enforcement and Penalties

The Attorney General may bring civil actions.

Courts may impose: \$2,500 per violation.

Actual damages to consumers.

Attorney fees and legal costs.

Exemptions

This act does not apply to:

HIPAA-covered entities handling protected health information.
Law enforcement use of data from crime scenes.
Identification of unknown deceased individuals.

Effective Date:

The act takes effect 60 days after enactment.

G. Relevant Existing Laws

None. The bill creates a free-standing act called the Genetic Information Privacy Act (GIPA).

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 2627 (Matzie) - 2023-24 Legislative Session. The bill was referred to the Consumer Protection, Technology and Utilities Committee on October 9, 2024, and received no further action.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.