

## CHAPTER 503

### USE OF GENETIC INFORMATION FOR EMPLOYMENT PURPOSES

#### §19301. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1997, c. 677, §1 (NEW).]

**1. Genetic characteristic.** "Genetic characteristic" means any inherited gene or chromosome, or alteration of a gene or chromosome, that is scientifically or medically believed to predispose an individual to a disease, disorder or syndrome or to be associated with a statistically significant increased risk of development of a disease, disorder or syndrome.

[PL 1997, c. 677, §1 (NEW).]

**2. Genetic information.** "Genetic information" means the information concerning genes, gene products or inherited characteristics that may be obtained from an individual or family member.

[PL 1997, c. 677, §1 (NEW).]

**3. Genetic test.** "Genetic test" means a test for determining the presence or absence of an inherited genetic characteristic in an individual, including tests of nucleic acids such as deoxyribonucleic acid, or DNA, ribonucleic acid, or RNA, or mitochondrial DNA, and tests of chromosomes or proteins in order to identify a predisposing genetic characteristic.

[PL 1997, c. 677, §1 (NEW).]

#### SECTION HISTORY

PL 1997, c. 677, §1 (NEW).

#### §19302. Employment discrimination on the basis of genetic information or genetic testing

**1. Discrimination prohibited.** An employer may not fail or refuse to hire, discharge or otherwise discriminate against an employee or applicant for employment with respect to the compensation, terms or conditions of employment on the basis of genetic information concerning that individual or because of the individual's refusal to submit to a genetic test or make available the results of a genetic test or on the basis that the individual received a genetic test or genetic counseling, except when based on a bona fide occupational qualification.

[PL 1997, c. 677, §1 (NEW).]

**2. Enforcement; remedies.** The Maine Human Rights Commission shall enforce this section. Violations of this section are subject to the remedies available under chapter 337, subchapters VI and VII.

[PL 1997, c. 677, §1 (NEW).]

#### SECTION HISTORY

PL 1997, c. 677, §1 (NEW).

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