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Wyoming Enacts Genetic Data Privacy Act

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Governor Mark Gordon signed the Wyoming Genetic Data Privacy Act into law on March 8, 2022. The law goes into effect on July 1, 2022.

The Genetic Data Privacy Act requires any business that collects genetic data from individuals to: (1) provide transparent information to consumers about the collection, use, and disclosure of genetic data before collecting it and (2) obtain express consent from an individual before collecting the genetic data. The Act also includes strict prohibitions on how the genetic data can be disclosed and retained. The law does not apply to covered entities or business associates collecting protected health information under HIPAA.

The law provides consumers with the statutory right to request deletion of the data when they are no longer being used or needed for the purpose for which they were collected. It also provides consumers with a private right of action to seek damages from anyone who violates the Act.

The Attorney General of Wyoming has jurisdiction to enforce the law, which carries penalties of up to \$2,500 for each violation, actual damages for consumers who have been harmed, and attorneys' fees and costs.

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