

SENATE BILL No. 234

By Committee on Federal and State Affairs

2-6

1 AN ACT concerning medical technology; prohibiting medical and research
2 facilities from using genetic sequencers or operational software used
3 for genetic analysis that is produced in or by a foreign adversary.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) As used in this section:

7 (1) "DNA" means deoxyribonucleic acid, ribonucleic acid and
8 chromosomes that may be analyzed to detect heritable diseases or
9 conditions, including the identification of carriers, predicting risk of
10 disease or establishing a clinical diagnosis.

11 (2) "Foreign adversary" means the people's republic of China, the
12 Russian federation, the Islamic republic of Iran, the democratic people's
13 republic of Korea, the republic of Cuba, the Venezuelan regime of Nicolas
14 Maduro or the Syrian Arab republic, including any agent of or any other
15 entity under significant control of such foreign adversary, or any other
16 entity deemed to be a foreign adversary by the governor in consultation
17 with the adjutant general.

18 (3) "Genetic sequencer" means any device or platform used to
19 conduct genetic analysis, resequencing, isolation or other genetic research.

20 (4) "Human genome" means DNA or ribonucleic acid that is found in
21 human cells.

22 (5) "Medical facility" means a facility for the delivery of health
23 services that receives state moneys, including interagency pass-through
24 appropriations from the federal government, and conducts research or
25 testing on, with or relating to genetic analysis or the human genome.

26 (6) "Operational or research software" means computer programs
27 used for the operation, control, analysis or other necessary functions of
28 genetic analysis or genetic sequencers.

29 (7) "Research facility" means a facility that receives state moneys,
30 including interagency pass-through appropriations from the federal
31 government and conducts research on, with or relating to genetic analysis
32 or the human genome.

33 (b) All medical facility or research facility in this state shall not
34 utilize genetic sequencers or operational or research software used for
35 genetic analysis produced in or by a foreign adversary, a state-owned
36 enterprise of a foreign adversary, a company domiciled within a foreign

1 adversary or a company-owned or company-controlled subsidiary of a
2 company domiciled within a foreign adversary for the purpose of
3 conducting genetic analysis.

4 (c) All genetic sequencers and operational and research software used
5 for genetic sequencers or genetic analysis devices prohibited under
6 subsection (b) that is not permanently disabled shall be removed and
7 replaced with genetic sequencers and operational and research software
8 used for genetic sequencers or genetic analysis that is not prohibited under
9 subsection (b).

10 (d) Subject to appropriations, a medical facility or research facility in
11 this state may request a reimbursement from the state treasurer up to the
12 cost of replacement of the equipment and software prohibited under
13 subsection (b) from the state treasurer, provided the request includes
14 purchase orders and is submitted prior to October 1, 2025.

15 (e) The provisions of this section are severable. If any provision of
16 this section is declared unconstitutional or invalid, or the application of
17 any portion of the act to any person or circumstance is held
18 unconstitutional or invalid, the invalidity shall not affect other portions of
19 the act that can be given effect without the invalid portion or application,
20 and the applicability of such other portions of the act to any person or
21 circumstance shall remain valid and enforceable.

22 Sec. 2. This act shall take effect and be in force from and after its
23 publication in the statute book.