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AB-1963 California State University and University of California: gene synthesis providers. (2021-2022)

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Assembly Bill No. 1963

CHAPTER 179

An act to add Chapter 5.7 (commencing with Section 66360) to Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

[Approved by Governor August 26, 2022. Filed with Secretary of State August 26, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1963, Salas. California State University and University of California: gene synthesis providers.

Existing law establishes the University of California, which is administered by the Regents of the University of California, and the California State University, which is administered by the Trustees of the California State University, as 2 of the segments of public postsecondary education in the state.

This bill would require the California State University, and request the University of California, to develop systemwide guidance for purchasing gene synthesis equipment or gene synthesis products from gene synthesis providers who prevent the misuse of synthetic genes and safeguard the benefits of gene synthesis technology while minimizing risk, and to consider including International Gene Synthesis Consortium (IGSC) criteria in their guidance.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 5.7 (commencing with Section 66360) is added to Part 40 of Division 5 of Title 3 of the Education Code, to read:

CHAPTER 5.7. Gene Synthesis Providers

66360. For the purposes of this chapter, the following terms apply:

- (a) "Gene synthesis equipment" means equipment needed to produce gene synthesis products that is not readily used for any other purpose.
- (b) "Gene synthesis product" is double-stranded DNA (dsDNA), double-stranded nucleic acids, RNA, or oligonucleotides, designed and created without an existing DNA template.
- (c) (1) "Gene synthesis provider" means an entity that does any of the following:
 - (A) An entity that creates gene synthesis products for delivery to a customer.

(B) A distributor of gene synthesis products, including, but not limited to, entities who manufacture gene synthesis products for use by other parties, both inside and outside of the entity.

(C) A third-party entity that is not the end user of a gene synthesis product and does not make gene synthesis products, but otherwise fills, completes, modifies, or purifies gene synthesis products.

(2) "Gene synthesis provider" does not include a research scientist making gene synthesis products for the research scientist's own use or for use by another research scientist or an entity that manufactures gene synthesis products for the entity's own use.

66361. (a) The California State University shall, and the University of California is requested to, develop systemwide guidance for purchasing gene synthesis equipment or gene synthesis products from gene synthesis providers who prevent the misuse of synthetic genes and safeguard the benefits of gene synthesis technology while minimizing risk.

(b) The California State University shall, and the University of California is requested to, consider including International Gene Synthesis Consortium (IGSC) criteria in their guidance.