

Amendment No. 767

Senate Amendment to Assembly Bill No. 226 First Reprint	(BDR 15-25)
<b>Proposed by:</b> Senate Committee on Judiciary	
<b>Amends:</b> Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



A.B. No. 226—Prohibits any person from requiring or authorizing another person to undergo implantation of a microchip or other permanent identification marker under certain circumstances. (BDR 15-25)





ASSEMBLY BILL NO. 226—ASSEMBLYMAN DALY

FEBRUARY 22, 2019

Referred to Committee on Judiciary

SUMMARY—Prohibits ~~[any person]~~ **certain entities or persons** from requiring ~~for authorizing]~~ another person to undergo implantation of a microchip or other permanent identification marker . ~~[under certain circumstances.]~~ (BDR 15-25)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to crimes; prohibiting ~~[any person]~~ **certain entities or persons** from requiring ~~for authorizing]~~ another person to undergo implantation of a microchip or other permanent identification marker ; ~~[under certain circumstances.]~~ providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill prohibits **the following entities or persons from requiring another person to**  
2 **undergo the implantation of a microchip or other permanent identification marker of**  
3 **any kind or nature:** ~~(1) an officer or employee of this State or any political subdivision~~  
4 ~~thereof for any other person from:~~ ~~(1) requiring another person to undergo the implantation of~~  
5 ~~a microchip or other permanent identification marker of any kind or nature;~~ ~~(2) establishing a~~  
6 ~~program that authorizes a person to voluntarily elect to undergo the implantation of such a~~  
7 ~~microchip or permanent identification marker; or (3) participating in a program established by~~  
8 ~~another person, if the program authorizes a person to voluntarily elect to undergo the~~  
9 ~~implantation of such a microchip or permanent identification marker.]~~ **;** ~~(2) an employer who~~  
10 **requires such an implant as a condition of employment;** ~~(3) a person licensed to sell or~~  
11 **provide insurance;** ~~or (4) a person licensed to participate in a business related to bail.~~  
12 This bill also defines “microchip” **and “voluntarily”** for the purposes of this bill.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 200 of NRS is hereby amended by adding thereto a new  
2 section to read as follows:

3 **1. ~~[An officer or employee of this State or any political subdivision thereof~~**  
4 **~~or any other person shall not~~**  
5 **~~—(a) Require] It is unlawful for any entity or person described in paragraphs~~**  
6 **~~(a) to (d), inclusive, to require another person to undergo the implantation of a~~**  
7 **~~microchip or other permanent identification marker of any kind or nature.]~~**

~~(b) Establish a program that authorizes a person to voluntarily elect to undergo the implantation of a microchip or other permanent identification marker of any kind or nature, or~~

~~(c) Participate in a program established by another person, if the program authorizes a person to voluntarily elect;~~

(a) An officer or employee of this State or any political subdivision thereof;

(b) An employer as a condition of employment;

(c) A person licensed to sell or provide insurance pursuant to title 57 of NRS; or

(d) A person licensed to participate in a business related to bail pursuant to chapter 697 of NRS.

2. The provisions of this section shall not be construed to prohibit a natural person from voluntarily electing to undergo the implantation of a microchip or other permanent identification marker of any kind or nature.

~~3.~~ 3. A person who violates the provisions of this section is guilty of a category C felony and shall be punished as provided in NRS 193.130.

~~4.~~ 4. As used in this section:

(a) "Microchip" means a device that is subcutaneously implanted in a person and that is passively or actively capable of transmitting personal information to another device using radio frequency technology.

~~(b)~~ The term does not include a device that is ~~subcutaneously~~ implanted in a person if the device:

(I) Is incapable of passively or actively transmitting personal information to another device using radio frequency technology; ~~and the device;~~

~~(I) Is used for the purpose of self-expression; or~~

~~(II) Is used in the diagnosis, monitoring, treatment or prevention of a health condition; or~~

(2) Is capable of passively or actively transmitting personal information to another device using radio frequency technology and the device:

(I) Is used in the diagnosis, monitoring, treatment or prevention of a health condition; and

(II) Only transmits such information as is necessary to carry out the diagnosis, monitoring, treatment or prevention of the health condition ~~;~~ or

(3) Is any type of hearing aid or hearing implant device.

(b) "Voluntarily" means without an incentive or other inducement.