

HB 2242 -- Subcutaneous Identification Devices

Sponsor: Cooper (155)

This bill prohibits a person from requiring, coercing, or compelling any other individual to have implanted a subcutaneous identification device. "Person" is defined as an individual, business association, partnership, limited partnership, corporation, limited liability company, trust, estate, cooperative association, or other entity.

Any person violating this provision will be subject to a civil penalty of up to \$10,000 and up to \$1,000 for each day the violation continues. Individuals who have been implanted with an identification device in violation of the provisions of the bill will be allowed to bring a civil action for actual damages, compensatory damages, punitive damages, injunctive relief, or any other appropriate relief.

Civil action must be commenced within three years of the date upon which the identification device was implanted. If the individual was an incompetent person, a dependent adult, or a minor when the implantation occurred, civil action must be commenced within three years after the date of discovery of the implant or within eight years after the individual attains the age of majority, whichever date occurs later. For the purposes of implantation only, the bill allows any interested person to file a petition for an order or judgement declaring an incompetent person or a minor free from the control of a parent or guardian who is requiring or preventing implantation of an identification device.