

Amendment No. 46

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| Assembly Amendment to Assembly Bill No. 226 | (BDR 15-25) |
| Proposed by: Assembly Committee on Judiciary | |
| Amends: 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.

KMN/BAW



Date: 4/4/2019

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



ASSEMBLY BILL NO. 226—ASSEMBLYMAN DALY

FEBRUARY 22, 2019

Referred to Committee on Judiciary

SUMMARY—Prohibits any person from requiring or authorizing another person to undergo implantation of a microchip or other permanent identification marker ~~or~~ 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 from requiring or authorizing another person to undergo implantation of a microchip or other permanent identification marker ~~or~~ under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill prohibits an officer or employee of this State or any political subdivision thereof or any other person from ;(1) requiring another person to undergo the implantation of a microchip or other permanent identification marker of any kind or nature ~~or~~ ;(2) establishing a program that authorizes a person to voluntarily elect to undergo the implantation of such a microchip or permanent identification marker; or (3) participating in a program established by another person, if the program authorizes a person to voluntarily elect to undergo the implantation of such a microchip or permanent identification marker. This bill also ~~provides that each day or part of a day during which a violation of such a provision is continued or repeated constitutes a separate offense.~~ defines "microchip" for the purposes of this bill.

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

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

1. An officer or employee of this State or any political subdivision thereof or any other person shall not ~~require~~ ;

(a) Require another person to undergo the implantation of a microchip or other permanent identification marker of any kind or nature ~~or~~ ;

(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

1 (c) Participate in a program established by another person, if the program
2 authorizes a person to voluntarily elect to undergo the implantation of a
3 microchip or other permanent identification marker of any kind or nature.

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

6 3. ~~Each day or part of a day during which a violation of this section is~~
7 ~~continued or repeated constitutes a separate offense.~~ As used in this section:

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

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

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

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

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

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

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

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