

House Bill 940

By: Representatives Setzler of the 35th, Loudermilk of the 14th, and Brooks of the 63rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to
2 general provisions regarding torts, so as to prohibit requiring a person to be implanted with
3 a microchip; to provide for a short title; to provide for definitions; to provide for penalties;
4 to provide for regulation by the Composite State Board of Medical Examiners; to provide for
5 related matters; to provide for an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known as the "Microchip Consent Act of 2008."

10 **SECTION 2.**

11 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general
12 provisions regarding torts, is amended by adding a new Code Section 51-1-52 to read as
13 follows:

14 "51-1-52.

15 (a) As used in this Code section, the term:

16 (1) 'Implantation' includes any means intended to introduce a microchip internally or
17 beneath the skin of a person.

18 (2) 'Microchip' means any microdevice, sensor, transmitter, mechanism, or
19 nanotechnology that is passively or actively capable of transmitting or receiving
20 information.

21 (3) 'Require' includes physical violence, threat, intimidation, retaliation, the conditioning
22 of any private or public benefit or care on consent to implantation, including
23 employment, promotion, or other benefit, or by any means that causes a person to
24 acquiesce to implantation when he or she otherwise would not.

25 (b) No person shall be required to be implanted with a microchip.

- 1 (c) Any violation of this Code section shall be subject to a civil penalty of not more than
2 \$10,000.00 per violation. Each day of continued violation constitutes a separate violation.
3 (d) The voluntary implantation of any microchip or similar device shall be regulated under
4 the authority of the Composite State Board of Medical Examiners."

5 **SECTION 3.**

6 This Act shall become effective on July 1, 2008.

7 **SECTION 4.**

8 All laws and parts of laws in conflict with this Act are repealed.