

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1177

5 By: Representative S. Meeks
6

For An Act To Be Entitled

8 AN ACT CONCERNING MICROCHIP IMPLANTATION OF
9 EMPLOYEES; AND FOR OTHER PURPOSES.
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Subtitle

12 CONCERNING MICROCHIP IMPLANTATION OF
13 EMPLOYEES.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 11, Chapter 1, is amended to add a new
20 section to read as follows:

21 11-1-101. Microchip implantation of employees.

22 (a) As used in this section:

23 (1) "Employee" means a person who:

24 (A) Is employed by an employer; or

25 (B) Contracts to perform certain work away from an
26 employer's premises, uses his or her own methods to accomplish the work, and
27 is subject to the control of the employer only as to the results of performed
28 work;

29 (2) "Employer" means:

30 (A) An individual, partnership, association, corporation,
31 commercial entity, this state, or a political subdivision of the state; or

32 (B) A person or a group that acts directly or indirectly
33 in the interest of or in relation to an individual, partnership, association,
34 corporation, commercial entity, this state, or a political subdivision of the
35 state; and

36 (3) "Microchip" means technology that:



1 (A) Is designed to be surgically implanted in the body of
2 an individual; and

3 (B) Contains a unique identification number and personal
4 information that can be noninvasively retrieved or transmitted with an
5 external scanning device.

6 (b) An employer shall not require an employee to have a microchip
7 implanted in the employee's body as a condition of employment.

8 (c)(1) A microchip may be implanted in an employee's body at the
9 request of an employer if the employee provides the employer with written
10 consent.

11 (2)(A) An employee may request the removal of the microchip at
12 any time.

13 (B) If an employee requests the removal of the microchip,
14 the microchip implant shall be removed within thirty (30) days of the
15 employee's request.

16 (d) If an employee receives a microchip implant at the request of an
17 employer, the employer shall:

18 (1) Pay all the costs associated with implanting and removing
19 the microchip;

20 (2) Pay all the medical costs incurred by the employee as a
21 result of any bodily injury to the employee caused by the implantation of the
22 microchip or the presence of the microchip in the employee's body; and

23 (3) Disclose to the employee:

24 (A) The data that may be maintained on the microchip; and

25 (B) How the data that is maintained on the microchip will
26 be used by the employer.

27 (e)(1) If an employee is terminated from employment, the microchip
28 implant shall be removed from the employee's body within thirty (30) days of
29 the employee's termination.

30 (2)(A) An employee may elect to retain an implanted microchip
31 after the termination of the employee's employment.

32 (B) If an employee elects to retain an implanted microchip
33 after termination of employment, the employee assumes responsibility for all
34 costs associated with the microchip, and subsection (d) of this section shall
35 not apply.

36 (f) This section does not prohibit an employer from using alternative

1 non-invasive technology that is intended to track the movement of an
2 employee.

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