

SENATE FILE NO. SF0072

Employees-forced microchip implantation prohibited.

Sponsored by: Senator(s) Laursen, D, Biteman, Brennan,
French, McKeown and Steinmetz and
Representative(s) Allred, Haroldson, Heiner,
Knapp, Locke, Rodriguez-Williams, Singh and
Strock

A BILL

for

1 AN ACT relating to labor and employment; prohibiting
2 employers from requiring employees to have microchips
3 implanted in the employees' bodies; specifying requirements
4 for employers for employees' voluntary microchip implants;
5 providing definitions; and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 27-1-117 is created to read:

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11 **27-1-117. Employee microchip implantation;**
12 **involuntary implants prohibited; requirements for voluntary**
13 **implants.**

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1 (a) As used in this section:

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3 (i) "Employee" means a person permitted to work
4 for an employer in employment and includes an independent
5 contractor;

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7 (ii) "Employer" means any person or
8 organization, including the state and all its political
9 subdivisions, which has in its employ one (1) or more
10 persons performing services for it in employment;

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12 (iii) "Microchip" means technology that:

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14 (A) Is designed to be implanted in the body
15 of a person; and

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17 (B) Contains a unique identification
18 number, permanent identification marker or personal
19 information that can be noninvasively retrieved or
20 transmitted with an external scanning device.

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22 (b) No employer shall:

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1 (i) Ask on an application for employment or
2 inquire during an interview whether a prospective employee
3 will consent to having a microchip implanted in his body;

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5 (ii) Require an employee to have or consent to
6 having a microchip implanted in the employee's body as a
7 condition of employment;

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9 (iii) Coerce an employee into consenting to have
10 a microchip implanted in his body;

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12 (iv) Take an adverse employment action against
13 an employee who does not consent to having a microchip
14 implanted in his body;

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16 (v) Withhold advancement from an employee within
17 the employer's business when the employee does not consent
18 to having a microchip implanted in his body;

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20 (vi) Withhold a salary or wage increase from an
21 employee who does not consent to having a microchip
22 implanted in his body;

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1 (vii) Dismiss or otherwise discipline an
2 employee based on the employee not consenting to having a
3 microchip implanted in his body.

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5 (c) An employer shall provide work alternatives to an
6 employee who does not consent to having a microchip
7 implanted in his body.

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9 (d) A microchip may be implanted in an employee's
10 body for purposes of the employee's employment, provided
11 that:

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13 (i) The employee provides the employer with
14 written consent for the implantation;

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16 (ii) An employee may have the microchip removed
17 at any time;

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19 (iii) If the employee requests the employer to
20 remove the microchip, the employer shall remove or cause to
21 have removed the microchip not later than thirty (30) days
22 after the employee's request.

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1 (e) After an employee voluntarily consents to
2 implantation of a microchip after the employer's request,
3 the employer shall:

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5 (i) Pay all costs associated with implanting,
6 maintaining and removing the microchip;

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8 (ii) Pay all medical costs that the employee
9 incurs as a result of any bodily injury to the employee
10 caused by the implantation of the microchip or by the
11 microchip's presence in the body;

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13 (iii) Disclose to the employee:

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15 (A) The data that will be maintained on or
16 in the microchip;

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

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21 (iv) Within thirty (30) days of the employee's
22 termination or separation from employment with the
23 employer, remove the microchip or have the microchip

1 removed at the employer's expense, subject to subsection
2 (f) of this section.

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4 (f) An employee who is terminated or separates from
5 the employer may elect to retain an implanted microchip
6 after termination or separation, provided that the employee
7 assumes responsibility for all costs associated with the
8 microchip. An employer shall not be required to comply with
9 subsection (e) of this section for each employee who elects
10 to retain an implanted microchip under this subsection.

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12 (g) Nothing in this section shall be construed to
13 prohibit an employer from using alternative, non-invasive
14 technology for the reasonable operations of the employer.

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16 **Section 2.** This act is effective July 1, 2023.

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(END)