

**HB4 ENROLLED**



1 EJZR92-2  
2 By Representatives Chestnut, Lawrence, Daniels  
3 RFD: Judiciary  
4 First Read: 07-Mar-23  
5 2023 Regular Session



## HB4 Enrolled

1 Enrolled, An Act,

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4 Relating to crimes and offenses; to make it unlawful  
5 for individuals to require another individual to be implanted  
6 with a microchip; to provide criminal penalties; and in  
7 connection therewith would have as its purpose or effect the  
8 requirement of a new or increased expenditure of local funds  
9 within the meaning of Section 111.05 of the Constitution of  
10 Alabama of 2022.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. (a) For the purposes of this section, the  
13 following terms have the following meanings:

14 (1) MICROCHIP. A device subcutaneously implanted in an  
15 individual that is passively or actively capable of  
16 transmitting personal information to another device using  
17 radio frequency technology.

18 (2) VOLUNTARILY. Performed consciously as a result of  
19 effort or determination and without an incentive, inducement,  
20 or coercion. The term shall include, but not be limited to,  
21 the receiving by any individual, as a result of a free will  
22 decision of that individual, of an implanted device used in  
23 the diagnosis, monitoring, treatment, or prevention of a  
24 health condition that only transmits information necessary to  
25 carry out the diagnosis, monitoring, treatment, or prevention  
26 of that health condition.

27 (b) (1) It is unlawful for an employer, as a condition  
28 of employment, to require an employee to be implanted with a



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29 microchip or other permanent identification marker.

30 (2) It is unlawful for any individual including, but  
31 not limited to, any of the following individuals to require  
32 another individual to be implanted with a microchip or other  
33 permanent identification marker:

34 a. An officer or employee of this state or a political  
35 subdivision of this state.

36 b. An individual licensed to sell or provide insurance  
37 pursuant to Title 27, Code of Alabama 1975.

38 c. An individual licensed to participate in a business  
39 related to bail pursuant to the Alabama Bail Bond Regulatory  
40 Act, Article 8, commencing with Section 15-13-200 of Chapter  
41 13, Title 15, Code of Alabama 1975.

42 (c) This section may not be construed to prohibit an  
43 individual from voluntarily electing to be implanted with a  
44 microchip or other permanent identification marker.

45 (d) An individual who violates this section is guilty  
46 of a Class D felony.

47 Section 2. Although this bill would have as its purpose  
48 or effect the requirement of a new or increased expenditure of  
49 local funds, the bill is excluded from further requirements  
50 and application under Section 111.05 of the Constitution of  
51 Alabama of 2022, because the bill defines a new crime or  
52 amends the definition of an existing crime.

53 Section 3. This act shall become effective on the first  
54 day of the third month following its passage and approval by  
55 the Governor, or its otherwise becoming law.



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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 27-Apr-23.

John Treadwell  
Clerk

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Senate **16-May-23**

Passed

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House **24-May-23**

Concurred in  
Senate Amendment