

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- PROHIBITION OF IMPLANTATION  
DEVICES AS CONDITIONS OF EMPLOYMENT

Introduced By: Senators Lawson, F. Lombardi, and DiMario

Date Introduced: February 16, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 28 of the General Laws entitled "LABOR AND LABOR RELATIONS"  
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 6.15

4 PROHIBITION OF IMPLANTATION DEVICES AS CONDITIONS OF EMPLOYMENT

5 **28-6.15-1. Definitions.**

6 As used in this chapter:

7 (1) "Device" means any acoustic, optical, mechanical, electronic, medical, or molecular  
8 device.

9 (2) "Implantation" means the injection or receipt of injection, ingestion, inhalation or  
10 otherwise incorporation of a device into the human body.

11 **28-6.15-2. Implantation devices as conditions of employment prohibited.**

12 (a) No employer may require an employee or any prospective employee to implant, or  
13 undergo a procedure to implant, a device in the employee's or prospective employee's body, as a  
14 condition of employment in a particular position, or as a condition of receiving additional  
15 compensation or other benefits.

16 (b) No employer may discriminate against an employee, with respect to the employee's  
17 compensation and benefits or terms and conditions of employment, based on the employee's refusal  
18 to take an action described in subsection (a) of this section.

1           **28-6.15-3. Penalty -- Exception.**

2           Any employer who subjects an employee or prospective employee, to the implantation of  
3 a device, as defined in this chapter, or causes, directly or indirectly, any employee or prospective  
4 employee to have such an implantation performed, is guilty of a misdemeanor punishable by a fine  
5 of not more than one thousand dollars (\$1,000). This section does not apply to implantations  
6 performed to comply with a court order.

7           **28-6.15-4. Punitive damages and attorneys' fees.**

8           In any civil action alleging a violation of this chapter, the court may:

9           (1) Award punitive damages to a prevailing employee or prospective employee, in addition  
10 to any award of actual damages;

11           (2) Award reasonable attorneys' fees and costs to a prevailing employee or prospective  
12 employee; and

13           (3) Enjoin an employer from further violation of this chapter.

14           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would prohibit an employer from subjecting its employees or prospective  
2 employees to the implantation of an implantation device. It would create criminal penalties as well  
3 as civil damages, that may be assessed against violating employers.

4           This act would take effect upon passage.

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