

77-23a-4.5 Implanting an electronic identification device -- Penalties.

- (1) A person may not require, coerce, or compel any other individual to undergo or submit to the subcutaneous implanting of a radio frequency identification tag.
- (2) Any person who violates Subsection (1) is guilty of a class A misdemeanor.
- (3)
 - (a) A person who is implanted with a subcutaneous identification device in violation of Subsection (1) may bring a civil action in any court of competent jurisdiction for actual damages, compensatory damages, punitive damages, injunctive relief, or any combination of these.
 - (b) The initial civil penalty may not be more than \$10,000, and no more than \$1,000 for each day the violation continues until the electronic identification device is removed or disabled.

Enacted by Chapter 168, 2011 General Session