

H.B. 224

RADIO FREQUENCY IDENTIFICATION

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 16, 2011 9:44 AM

Representative **Wayne A. Harper** proposes the following amendments:

1. *Page 1, Lines 16 through 20:*

16 {~~→prohibits intentionally or knowingly leaving a radio frequency identification tag in~~
17 ~~an article, good, or product that the person sells without rendering it inoperable and~~
18 ~~uses or intends to use the radio frequency identification tag or chip imbedded in the~~
19 ~~article, good, or product for direct or indirect commercial advantage or for private~~
20 ~~financial gain;~~}

2. *Page 1, Line 22:*

22 {~~—identifying~~} personal information using radio frequency identification technology without the

3. *Page 3, Line 60:*

60 77-23a-4(1)(b)(ii) or any device used by a public utility that delivers water, gas, sewer, or electrical
power when used in connection with measuring the delivery of that utility's service or commodity. . .

4. *Page 5, Line 148:*

148 product that contains personal {~~or identifying~~} information that is passively or actively capable of

5. *Page 6, Line 170:*

170 (b) A person commits a violation of this {~~Subsection (1)(b)~~} Subsection (1) who:

6. *Page 6, Lines 172 through 174:*

172 person to intercept or endeavor to intercept any wire, electronic, or oral communication , including a person
who ;

173 {~~(ii)~~} (A) intentionally or knowingly remotely reads, stores, or discloses, or endeavors to

174 read, store, or disclose {~~identifying~~} personal information from a tag that is attached to the person or
to

7. *Page 6, Line 176:*

176 that person's prior knowledge and consent , which includes consent given in a contract or service
agreement ; or

8. Page 6, Line 178:

178 disclose personal information from a tag that is attached to the person or to any item the person lawfully

9. Page 6, Lines 180 through 181:

180 person's prior knowledge and consent , including consent given in a contract or service agreement :

181 {+} (ii) {+} {-(iii)-} intentionally or knowingly uses, endeavors to use, or procures any other

10. Page 7, Line 189:

189 communication in violation of this section; {+} or {+}

11. Page 7, Lines 193 through 197:

193 this section {+} . {+} {~~or~~

194 ~~——(vi) intentionally or knowingly leaves a radio frequency identification tag in an article;~~

195 ~~good, or product that the person sells without rendering it inoperable and uses or intends to use~~

196 ~~the radio frequency identification tag imbedded in the article, good, product, or product~~

197 ~~packaging for direct or indirect commercial advantage or for private financial gain.~~}

12. Page 10, Lines 281 through 282:

281 (10) (a) Except under Subsection (10)(b) (ii) or (11), a violation of Subsection (1) is a {~~third~~

282 ~~degree felony~~} class A misdemeanor .