

2007 SESSION

INTRODUCED

075719301

HOUSE BILL NO. 2086

Offered January 10, 2007

Prefiled January 8, 2007

A *BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550 through 59.1-552, relating to radio frequency identification devices on consumer goods.*

Patrons—Eisenberg, Bowling, Bulova, Plum, Spruill, Toscano, Tyler and Valentine

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550 through 59.1-552, as follows:

CHAPTER 50.

RADIO FREQUENCY IDENTIFICATION DISCLOSURE ACT.

§ 59.1-550. Definitions.

For purposes of this chapter the term "radio frequency identification" or "RFID" means technology that uses radio waves to automatically identify individual items and the term "tag" means a microchip that is attached to an antenna and is able to transmit identification information.

§ 59.1-551. Disclosures.

Any person offering a good for sale as part of a consumer transaction that contains or bears a radio frequency identification tag shall label the good indicating such fact. A label required under this section shall (i) state, at a minimum, that the consumer good contains or bears a radio frequency identification tag, and that the tag can transmit unique identification information to an independent reader both before and after purchase; and (ii) be in a conspicuous location and in print that contrasts with the background against which it appears.

§ 59.1-552. Enforcement; penalties.

Any violation of the provisions of this chapter shall constitute a prohibited practice pursuant to the provisions of § 59.1-200 and shall be subject to any and all of the enforcement provisions of Chapter 17 (§ 59.1-196 et seq.).

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