
ENGROSSED SUBSTITUTE HOUSE BILL 2303

State of Washington

69th Legislature

2026 Regular Session

By House Labor & Workplace Standards (originally sponsored by Representatives Thomas, Parshley, Berry, Reed, Ramel, Obras, Street, Wylie, Taylor, Duerr, Kloba, Scott, Morgan, Ryu, Doglio, Gregerson, Ormsby, Goodman, Reeves, Macri, Fosse, Bergquist, Cortes, Hill, and Bernbaum)

READ FIRST TIME 01/27/26.

1 AN ACT Relating to prohibiting employers from microchipping
2 employees; adding a new section to chapter 49.44 RCW; creating a new
3 section; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds and declares
6 that individual liberty and bodily autonomy are fundamental rights
7 protected by the United States Constitution and the Washington
8 Constitution. Employers should not have the authority to require or
9 coerce invasive procedures as a condition of employment.
10 Technological advances have made it possible to implant microchips
11 and other tracking devices into the human body; however, without
12 clear legal safeguards, such practices threaten personal privacy,
13 individual dignity, and freedom of choice in the workplace.

14 (2) It is the intent of the legislature to protect employees and
15 job applicants from any form of compelled implantation of microchips
16 or similar technology by employers. Nothing in this act is intended
17 to limit medically necessary implants or devices that are implanted
18 for a legitimate health care purpose and with a patient's voluntary,
19 informed consent.

20 (3) This act reinforces the principle that decisions about a
21 person's body belong to the individual — not to their employer; and

1 that employers should compete for talent through wages, benefits, and
2 working conditions — not through invasive monitoring technologies.
3 The legislature further intends to provide a private right of action
4 so that individuals harmed by violations of this act may seek redress
5 in court.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.44
7 RCW to read as follows:

8 (1) An employer may not request, require, or coerce any employee
9 to have a microchip implanted in the employee for any reason.

10 (2) An employee aggrieved by a violation of this section may
11 bring a civil action in a court of competent jurisdiction. The court
12 may award a prevailing employee injunctive relief, actual damages,
13 punitive damages, and reasonable attorneys' fees and costs.

14 (3) For purposes of this section, the following definitions apply
15 unless the context clearly requires otherwise:

16 (a) "Employer" means any person, firm, corporation, partnership,
17 business trust, legal representative, or other business entity which
18 engages in any business, industry, profession, or activity in this
19 state and employs one or more employees, and includes the state, any
20 state institution, state agency, political subdivisions of the state,
21 and any municipal corporation or quasi-municipal corporation.

22 (b) "Employee" means an individual who is employed by the
23 employer or who is an applicant for employment with the employer.

24 (c) "Microchip" means a product, device, or technology that is
25 subcutaneously implanted in the body of an individual and contains a
26 unique identification number and personal information that can be
27 noninvasively retrieved or transmitted with an external scanning
28 device. "Microchip" does not include a device that is implanted in an
29 individual if the device is used in the diagnosis, monitoring,
30 treatment, or prevention of a health condition, and only transmits
31 such information as is necessary to carry out the diagnosis,
32 monitoring, treatment, or prevention of the health condition.

33 (d) "Subcutaneously" means beneath the skin. "Subcutaneously"
34 does not include information temporarily attached to the skin by an
35 adhesive strip or bracelet upon which or within which personal
36 information is maintained or stored.

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