
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; and prescribing
3 penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.44
6 RCW to read as follows:

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

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

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

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

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

3 (c) "Microchip" means a product, device, or technology that is
4 subcutaneously implanted in the body of an individual and contains a
5 unique identification number and personal information that can be
6 noninvasively retrieved or transmitted with an external scanning
7 device. "Microchip" does not include a device that is implanted in an
8 individual if the device is used in the diagnosis, monitoring,
9 treatment, or prevention of a health condition, and only transmits
10 such information as is necessary to carry out the diagnosis,
11 monitoring, treatment, or prevention of the health condition.

12 (d) "Subcutaneously" means beneath the skin. "Subcutaneously"
13 does not include information temporarily attached to the skin by an
14 adhesive strip or bracelet upon which or within which personal
15 information is maintained or stored.

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