

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0734/P1dn  
CTS:kjf:rs

December 15, 2006

Rep. Schneider:

This is a preliminary draft. Please review it carefully to ensure it is consistent with your intent and note the following:

1. Per your instructions, this draft specifically applies to consumer transactions and items distributed at trade shows. The Indiana proposal included with the instructions, however, applies generally to personally identifiable information obtained about an individual without consent. If you intend for the draft to create a similarly broad prohibition, the draft will need to be modified.
2. As with the Indiana proposal, this draft defines certain uses of information obtained using radio frequency identification devices as an unfair method of competition and an unfair trade practice. It is enforced by the Department of Agriculture, Trade and Consumer Protection, the Department of Justice, and by a private right of action for double damages.

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