

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0734/P2dn
CTS:kjf:jf

January 10, 2007

Representative Schneider:

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

1. This draft creates a broad prohibition on attaching a radio frequency identification tag to or embedding a radio frequency identification tag in a document, including U.S. currency, but does not create a specific enforcement mechanism. Because the prohibition has broad application to state and local government and to private citizens, it is no longer clear that DATCP is the appropriate agency to enforce the provisions in the draft. In the absence of a delegation of enforcement authority to DATCP, the provisions of the draft would be enforced by the district attorney, and violators would be subject to the default statutory penalty of a forfeiture up to \$200.
2. This draft retains the definition of "radio frequency identification tag" from the previous version. Because this draft does not delegate authority to interpret the provisions of the draft to an agency, you may wish to consider refining the definition of "radio frequency identification tag."

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