

**SHB 1031** - H AMD TO H AMD (1031-S AMH MORR DURB 252) **1011**  
By Representative Ericksen

**FAILED 2/12/2008**

1 On page 2, line 17 of the striking amendment, after "(1)"  
2 strike "Except as provided in section 5 of this act, a" and insert  
3 "A"

4 On page 2, beginning on line 23 of the striking amendment,  
5 strike all of sections 4 through 9

6 Renumber the remaining section consecutively and correct  
7 internal references accordingly.

8 On page 5, line 6 of the striking amendment, after "2" strike  
9 "through 8" and insert "and 3"

**EFFECT:** Strikes the following provisions of the striking amendment:

- Section 4, which makes the intentional scanning of an identification device without a person's consent a violation of the Consumer Protection Act;
- Section 5, which contains circumstances under which scanning of an identification device is allowed;
- Section 6, which requires opt-in consent if a governmental or business entity intends to collect, use, or retain data associated with a person after a sales transaction or service has been completed, and also allows a person to opt-out;
- Section 7, which specifies that Sections 3, 4, and 6 do not apply if a governmental or business entity obtains a person's opt-in consent;
- Section 8, which requires the Attorney General's Office to report to the Legislature annually on personally invasive technologies that may warrant legislation; and
- Section 9, which relates to conflicts between federal and state law.

Makes a technical correction in Section 3.