

BILL ANALYSIS

H.B. 2953
By: Kolkhorst
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Some public schools across the nation (including at least one in Texas) are seeking to monitor students by using tracking technology, similar to what is used to track parolees in the Texas criminal justice system. The technology is known as a "radio frequency identification device" (RFID) and has been available for many years.

If passed, HB 2953 would allow for only the voluntary use of such technology in public schools and prohibit public schools from requiring students to use this technology. The measure also requires that the school offer an alternative method of identification if the student's parent or guardian submits an objection to the device.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2953 amends Subchapter Z, Chapter 25, Education Code, by adding Section 25.902, "Certain Mandatory Student Identification Methods Prohibited", and defines "radio frequency identification technology". This section also provides that a school district may not require a student to use a device that would identify the student, transmit information on the student, or track their location. This section also provides that if a school district permits the voluntary use of such a device the school district must provide an alternative method of identification if the student's parent or guardian submits a timely objection to it.

EFFECTIVE DATE

This Act applies beginning with the 2005 - 2006 school year.

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.