

By: Kolkhorst

H.B. No. 2953

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the identification of public school students through  
3 the use of radio frequency identification technology.

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

5 SECTION 1. Subchapter Z, Chapter 25, Education Code, is  
6 amended by adding Section 25.902 to read as follows:

7 Sec. 25.902. CERTAIN MANDATORY STUDENT IDENTIFICATION  
8 METHODS PROHIBITED. (a) In this section, "radio frequency  
9 identification technology" means a wireless identification system  
10 that uses an electromagnetic radio frequency signal to transmit  
11 data between a card, badge, or tag and another device without  
12 physical contact.

13 (b) A school district may not require a student to use an  
14 identification device that uses radio frequency identification  
15 technology or similar technology to identify the student, transmit  
16 information regarding the student, or track the location of the  
17 student.

18 (c) A school district that permits the voluntary use of a  
19 student identification device described by Subsection (b) shall  
20 provide an alternative method of identification for a student if  
21 the student's parent or guardian submits timely written objection  
22 to the use of radio frequency identification technology.

23 SECTION 2. This Act applies beginning with the 2005-2006  
24 school year.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2005.