

By: Kolkhorst

H.B. No. 4439

A BILL TO BE ENTITLED

AN ACT

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

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

6 SECTION 1. Subchapter Z, Chapter 25, Education Code, is  
7 amended by adding Section 25.903 to read as follows:

8 Sec. 25.903. CERTAIN MANDATORY STUDENT IDENTIFICATION  
9 METHODS PROHIBITED. (a) In this section, "radio frequency  
10 identification technology" means a wireless identification system  
11 that uses an electromagnetic radio frequency signal to transmit  
12 data without physical contact between a card, badge, or tag and  
13 another device.

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

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

24 SECTION 2. This Act applies beginning with the 2009-2010

1 school year.

2           SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2009.