By: Kolkhorst H.B. No. 1134

A BILL TO BE ENTITLED

AN ACT

relating to the use of radio frequency identification technology to transmit information regarding public school students.

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

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

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

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

(c) A school district may allow the voluntary use of a student identification device described by Subsection (b) only if authorized by resolution adopted by the board of trustees of the district. A district that allows the voluntary use of a student identification device described by Subsection (b) shall provide an alternative method of identification for a student on the timely written request of a student's parent or guardian.

SECTION 2. This Act applies beginning with the 2011-2012 school year.

SECTION 3. 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, 2011.