

Amend CSHB 5 (senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) 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 a battery or other active power source to broadcast a constant electromagnetic radio frequency signal to transmit data without physical contact between a card, badge, or tag and another device.

(b) Except as provided by Subsection (c), a school district may 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 only if authorized by resolution adopted by the board of trustees of the district.

(c) On the timely written request of a student's parent or guardian, a school district shall permit the student to opt out of use of an identification device described by Subsection (b). If a student's parent or guardian requests that the student opt out of the use of the device, the district shall provide an alternative method of identification for the student.

(d) A school district may not penalize a student using an alternative method of identification under Subsection (c), including restricting or prohibiting the student from participating in school or district activities.

(b) This section applies beginning with the 2013-2014 school year.