

By: Kolkhorst

H.B. No. 101

A BILL TO BE ENTITLED

AN ACT

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

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 without physical contact between a card, badge, or tag and  
12 another device.

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

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

5        SECTION 2. This Act applies beginning with the 2013-2014  
6 school year.

7        SECTION 3. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2013.