

BILL ANALYSIS

Senate Research Center

S.B. 2158
By: Campbell
Education
5/26/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Background

In America each year 450,000 children run away, 300,000 children are abducted by family members, and more than 58,000 children are abducted by non-family members. That is more than 800,000 children in America missing each year—one child every 40 seconds. Yet, when the National Child Identification Program began, less than two percent of parents had a copy of their child's fingerprints to use in case of an emergency.

In 1997, the American Football Coaches Association (AFCA) created the National Child Identification Program with the goal of fingerprinting 20 million children. In the program's first two years, nearly seven million ID kits were distributed through stadiums, churches, schools, law enforcement agencies, and community events. Now more than 70 million ID kits have been distributed, making the National Child Identification Program the LARGEST child identification effort ever conducted. The National Child ID Program partners with professional athletes, faith-based organizations, and corporate America to increase the safety of children in communities across the country.

The Bill

In 2006, a collaborative effort was formed between the National Child Identification Program and the Texas Association of School Administrators to disseminate child ID kits across the state of Texas to K-6th grade students. To ensure this vital program continues in Texas, S.B. 2158 codifies the collaboration between the Texas Education Agency and the National Child Identification Program to promote and provide inkless, in-home fingerprint and DNA identification kits to parents or guardians of children in K-6th grade. The kits are voluntary, kept at home, and may be submitted by the parent or guardian to federal, state, tribal, or local law enforcement in an effort to locate and return missing or trafficked children. The hope is that the kits will never have to be used, but if an emergency occurs, information from the kit could directly lead to the safe recovery of a missing child.

(Original Author's / Sponsor's Statement of Intent)

S.B. 2158 amends current law relating to requiring the Texas Education Agency to provide identification kits to school districts and open-enrollment charter schools for distribution to the parent or legal custodian of certain students.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Education Agency is modified in SECTION 2 (Section 33.057, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 33, Education Code, by adding Section 33.0531, as follows:

Sec. 33.0531. CHILD IDENTIFICATION PROGRAM. (a) Requires the Texas Education Agency (TEA) to provide to all school districts and open-enrollment charter

schools inkless, in-home fingerprint and DNA identification kits to be distributed through the district or school on request to the parent or legal custodian of any kindergarten, elementary, or middle school student.

(b) Authorizes a parent or legal custodian who receives a fingerprint and DNA identification kit to submit the kit to federal, state, tribal, or local law enforcement to help locate and return a missing or trafficked child.

SECTION 2. Amends Section 33.057, Education Code, as follows:

Sec. 33.057. DESTRUCTION OF FINGERPRINTS AND PHOTOGRAPHS. Requires TEA to adopt rules relating to the destruction of fingerprints and photographs made or kept under Section 33.053 (Fingerprints of Children) or 33.054 (Photographs of Children), rather than kept under Subchapter C (Missing Child Prevention and Identification Programs).

SECTION 3. Requires TEA to implement Section 33.0531, Education Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. Provides that if the legislature does not appropriate money specifically for that purpose, TEA is authorized, but not required, to implement that section using other appropriations available for that purpose.

SECTION 4. Effective date: September 1, 2021.