

BILL ANALYSIS

Senate Research Center

S.B. 2158
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Education
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As Filed

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 with 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 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.

As proposed, S.B. 2158 amends current law relating to authorizing the Texas Education Agency to provide identification kits for certain children.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. SHORT TITLE. Authorizes this Act to be cited as the Texas Child Identification Act of 2021.

SECTION 2. LEGISLATIVE FINDINGS. Provides that the legislature finds that:

(1) the proactive collection and central storage of comprehensive identification information about individual children by local, state, and federal law enforcement agencies is resource intensive; and

(2) the National Child Identification Program, known as "Safety Blitz":

(A) is a national community service initiative that has partnered with the states and their attorneys general, local law enforcement agencies, nonprofit organizations, and community organizations to provide families with an inkless, in-home fingerprint and DNA identification kit, which can be turned over to law enforcement by the parent or guardian of a child to provide information on a missing or trafficked child; and

(B) promotes the proactive collection and storage of comprehensive identification information within the home, decentralizing the process for law enforcement agencies that may lack the resources to collect and centrally store vital identification information related to individual children.

SECTION 3. AUTHORIZATION TO PROVIDE IDENTIFICATION KITS. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.028, as follows:

Sec. 38.028. CHILD IDENTIFICATION PROGRAM. (a) Defines "elementary school."

(b) Requires the Texas Education Agency (TEA), to promote the proactive collection and storage of comprehensive identification information by parents and guardians, to provide inkless, in-home fingerprint and DNA identification kits to any parent or guardian who requests one and whose child attends kindergarten or elementary school. Authorizes a kit to 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.

SECTION 4. CONTINGENT UPON APPROPRIATION. Provides that TEA is required to implement Section 38.028, 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 is not required, to implement that section using other appropriations available for that purpose.

SECTION 5. EFFECTIVE DATE. Effective date: September 1, 2021.