

- SUBJECT:** Requiring TEA to provide child identification kits for certain students
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 12 ayes — Dutton, Lozano, Allen, Allison, K. Bell, Bernal, Buckley, Huberty, K. King, Meza, Talarico, VanDeaver
- 0 nays
- 1 absent — M. González
- SENATE VOTE:** On final passage, April 28 — 30-1 (Springer)
- WITNESSES:** No public hearing.
- BACKGROUND:** Education Code sec. 33.053 and sec. 33.054 establish that a missing child prevention and identification program may include procedures for taking fingerprints and retaining a current photograph of each child registered in the school whose parent or legal custodian has consented in writing.
- Interested parties have called for the Texas Education Agency to collaborate with the National Child Identification Program to promote and provide fingerprint and DNA identification kits to parents and guardians through school districts and schools to help law enforcement locate and return missing or trafficked children.
- DIGEST:** SB 2158 would require the Texas Education Agency (TEA) to provide 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.
- A parent or legal custodian who received a fingerprint and DNA identification kit could submit the kit to federal, state, tribal, or local law enforcement to help locate and return a missing or trafficked child.

The bill would require TEA to adopt rules for the destruction of fingerprints and photographs made or kept under the program. TEA would be required to implement the bill's provisions only if the Legislature appropriated money specifically for that purpose. If the Legislature did not make an appropriation, TEA would be authorized, but not required, to implement the program using other appropriations available for that purpose.

The bill would take effect September 1, 2021.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$8 million to general revenue through fiscal 2023.