SENATE FILE 2086

BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2001)

Passed Senate, Date _____   Passed House, Date _____
Vote: Ayes _____ Nays _____   Vote: Ayes _____ Nays _____
                    Approved _____

A BILL FOR

1 An Act allowing school districts to use biometric fingerprint
2   identification systems for certain restricted purposes and
3   providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1   Section 1. Section 726.22, Code Supplement 2005, is

2 amended by adding the following new subsection:

3   NEW SUBSECTION. 0A. "Biometric technology" means a

4 computer-based fingerprint identification system which

5 utilizes an optical scanner or noncontact fingerprinting

6 system that extracts data about a child's fingerprint but does

7 not store the fingerprint or have the ability to reconstruct

8 the fingerprint.

9   Sec. 2. Section 726.23, subsection 1, Code Supplement

10 2005, is amended to read as follows:

11   1. Except as provided in ~~subsection~~ subsections 2 and 3, a

12 governmental unit shall not fingerprint a child.

13   Sec. 3. Section 726.23, Code Supplement 2005, is amended

14 by adding the following new subsection:

15   NEW SUBSECTION. 3. A school district or an authorized

16 representative of a school district may use biometric

17 technology to fingerprint a child if the child's parent or

18 guardian submits authorization to the school district allowing

19 the use of biometric technology to fingerprint the child. The

20 school district shall use data derived from a child's

21 fingerprint through the use of biometric technology only for

22 the purpose of implementing financial recordkeeping for a

23 school lunch program. The data derived from a child's

24 fingerprint through the use of biometric technology is not

25 admissible in any civil, criminal, or administrative

26 proceeding unless written consent is obtained from a child's

27 parent or guardian. The school district shall destroy the

28 data derived from a child's fingerprint when the child

29 graduates or is no longer enrolled in the school district or

30 at such time as the child's parent or guardian chooses to

31 withdraw authorization for the use of biometric technology to

32 fingerprint the child. Data collected as provided in this

33 section is a confidential record as provided in section 22.7.

34   Sec. 4. EFFECTIVE DATE. This Act, being deemed of

35 immediate importance, takes effect upon enactment.

1   EXPLANATION
2   This bill provides an exemption to the child identification
3 and protection Act to allow a school district or its
4 authorized representative to use biometric technology to scan
5 a child's fingerprint for purposes of implementing financial
6 recordkeeping for a school lunch program if the technology
7 used does not store the data extracted from the child's
8 fingerprint, the technology cannot reconstruct the child's
9 fingerprint, and if the parent or guardian submits
10 authorization to the school district to the use of the scan.
11 The parent or guardian may withdraw the authorization. The
12 school district must destroy the data when the child
13 graduates, or leaves the school, or the parent or guardian
14 withdraws authorization. The data is a confidential record
15 under the public records law.
16   The bill takes effect upon enactment.
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SENATE FILE 2086

S-5002
1   Amend Senate File 2086 as follows:
2   1. Page 1, line 23, by inserting after the word
3 "program." the following: "The school district shall
4 provide for an alternative, noninvasive, and discreet
5 means of allowing children whose parents or guardians
6 do not authorize the use of biometric technology to
7 easily participate in the school lunch program."
                              By HERMAN C. QUIRMBACH

S-5002   FILED JANUARY 31, 2006

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