

Enrolled
House Bill 2386

Sponsored by Representative BARNHART, Senators CLOSE, KNOPP; Representative FREDERICK
(Presession filed.)

CHAPTER

AN ACT

Relating to radio frequency identification devices; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) The State Board of Education shall adopt by rule standards for a school district board to incorporate into any policy that requires a student to wear, carry or use an item with a radio frequency identification device for the purpose of locating or tracking the student or taking attendance.

(2) Rules adopted as provided by subsection (1) of this section must establish standards that:

- (a) Protect student privacy and ensure security;
- (b) Require notification to students and parents about the use of radio frequency identification devices; and
- (c) Allow a student or a parent of a student to choose not to have the student wear, carry or use an item with a radio frequency identification device.

(3) Any policy adopted by a school district board that requires a student to wear, carry or use an item with a radio frequency identification device for the purpose of locating or tracking the student or taking attendance must incorporate the standards adopted by the State Board of Education.

SECTION 2. (1) Notwithstanding section 1 of this 2013 Act, the State Board of Education is not required to adopt the rules described in section 1 of this 2013 Act unless a school district board provides notice to the State Board of Education that the school district board intends to adopt a policy that requires a student to wear, carry or use an item with a radio frequency identification device for the purpose of locating or tracking the student or taking attendance.

(2) A school district board may not adopt a policy that requires a student to wear, carry or use an item with a radio frequency identification device for the purpose of locating or tracking the student or taking attendance until the State Board of Education adopts the rules described in section 1 of this 2013 Act.

SECTION 3. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect July 1, 2013.

Passed by House February 28, 2013

Repassed by House June 11, 2013

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 5, 2013

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

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Kate Brown, Secretary of State