

SB25-143

## SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Daugherty

1 Amend printed bill, page 3, line 23, after "SECTION;" add "EXCEPT THAT  
2 IF THE STUDENT IS IN OR ENTERING KINDERGARTEN THROUGH FIFTH  
3 GRADE, ONLY THE CONSENT OF THE STUDENT'S PARENT OR LEGAL  
4 GUARDIAN IS REQUIRED;".

5 Page 4, after line 11, insert:

6 "(III) CONSENT MAY BE OBTAINED EITHER AT THE BEGINNING OF  
7 EACH SCHOOL YEAR, TO COVER USE OF ALL CURRICULUM THAT COLLECTS  
8 A BIOMETRIC IDENTIFIER OR BIOMETRIC IDENTIFIERS, OR PRIOR TO USE OF  
9 THE CURRICULUM THAT COLLECTS A BIOMETRIC IDENTIFIER OR BIOMETRIC  
10 IDENTIFIERS.".

11 Page 4, line 27, strike "CIRCUMSTANCE." and substitute "CIRCUMSTANCE;  
12 EXCEPT THAT IF THE TECHNOLOGY OF THE SCHOOL CONTRACTOR IS NOT  
13 ABLE TO BE ENABLED OR DISABLED WITHOUT DECREASING THE  
14 EFFECTIVENESS OF THE TECHNOLOGY, A SCHOOL DISTRICT THAT UTILIZES  
15 FACIAL RECOGNITION TECHNOLOGY THROUGH SECURITY CAMERAS MAY  
16 MAINTAIN THE SYSTEM IN AN OPERATIONAL STATE AT ALL TIMES, BUT THE  
17 SYSTEM MUST NOT BE USED TO ACTIVELY OR PASSIVELY IDENTIFY ANY  
18 INDIVIDUALS UNLESS ONE OR MORE OF THE CIRCUMSTANCES DESCRIBED  
19 IN SUBSECTION (2)(d) OF THIS SECTION IS ACTIVELY OCCURRING.".

20 Page 4, after line 27, insert:

21 "(IV) EACH SCHOOL DISTRICT SHALL DEVELOP A POLICY  
22 GOVERNING THE USE OF FACIAL RECOGNITION TECHNOLOGY, INCLUDING  
23 CLEAR GUIDELINES ON ACCESS AND OVERSIGHT. THE POLICY MUST  
24 DESIGNATE SPECIFIC AUTHORIZED PERSONNEL, SUCH AS SCHOOL  
25 ADMINISTRATORS AND LAW ENFORCEMENT OFFICIALS, WHO ARE  
26 PERMITTED TO PROCESS FACIAL RECOGNITION DATA IN RESPONSE TO AN  
27 ARTICULABLE AND SIGNIFICANT THREAT AGAINST THE SCHOOL. NO OTHER  
28 INDIVIDUALS HAVE ACCESS TO OR ARE ALLOWED TO UTILIZE THE FACIAL  
29 RECOGNITION DATA. FACIAL RECOGNITION SEARCHES MAY ONLY BE  
30 CONDUCTED THROUGH A FORMAL REQUEST PROCESS, ENSURING  
31 APPROPRIATE OVERSIGHT AND ADHERENCE TO SECURITY PROTOCOLS  
32 WHILE MAINTAINING THE SYSTEM'S READINESS FOR EMERGENCIES.".

33 Page 6, line 18, after "SECTION;" add "EXCEPT THAT IF THE STUDENT IS IN  
34 OR ENTERING KINDERGARTEN THROUGH FIFTH GRADE, ONLY THE CONSENT  
35 OF THE STUDENT'S PARENT OR LEGAL GUARDIAN IS REQUIRED;".

36 Page 7, after line 6, insert:

1           "(III) CONSENT MAY BE OBTAINED EITHER AT THE BEGINNING OF  
2 EACH SCHOOL YEAR, TO COVER USE OF ALL CURRICULUM THAT COLLECTS  
3 A BIOMETRIC IDENTIFIER OR BIOMETRIC IDENTIFIERS, OR PRIOR TO USE OF  
4 THE CURRICULUM THAT COLLECTS A BIOMETRIC IDENTIFIER OR BIOMETRIC  
5 IDENTIFIERS."

6   Page 7, line 22, strike "CIRCUMSTANCE." and substitute "CIRCUMSTANCE;  
7 EXCEPT THAT IF THE TECHNOLOGY OF THE SCHOOL CONTRACTOR IS NOT  
8 ABLE TO BE ENABLED OR DISABLED WITHOUT DECREASING THE  
9 EFFECTIVENESS OF THE TECHNOLOGY, A SCHOOL DISTRICT THAT UTILIZES  
10 FACIAL RECOGNITION TECHNOLOGY THROUGH SECURITY CAMERAS MAY  
11 MAINTAIN THE SYSTEM IN AN OPERATIONAL STATE AT ALL TIMES, BUT THE  
12 SYSTEM MUST NOT BE USED TO ACTIVELY OR PASSIVELY IDENTIFY ANY  
13 INDIVIDUALS UNLESS ONE OR MORE OF THE CIRCUMSTANCES DESCRIBED  
14 IN SUBSECTION (2)(d) OF THIS SECTION IS ACTIVELY OCCURRING."

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26 APPROPRIATE OVERSIGHT AND ADHERENCE TO SECURITY PROTOCOLS  
27 WHILE MAINTAINING THE SYSTEM'S READINESS FOR EMERGENCIES."

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