



WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

<p>2013 Assembly Bill 616</p>	<p>Assembly Substitute Amendment 2</p>
<p><i>Memo published: March 24, 2014</i></p>	<p><i>Contact: Jessica Ozalp, Staff Attorney (266-2982)</i></p>

Assembly Bill 616 (“the bill”) prohibits a school board from collecting biometric data from a pupil, or using any device or mechanism to assess a pupil’s psychological or emotional state, without written consent. The bill authorizes the attorney general or any district attorney to bring an action in circuit court to enforce this prohibition.

Assembly Substitute Amendment 2 requires a school board to inform a pupil’s parents or guardians and give them a 14-day opt-out period before the school board may collect or maintain biological identifiers in a format that is used for automated recognition of the pupil. The amendment defines a biological identifier to exclude a biological characteristic that the school collects or maintains for a purpose other than automated recognition of the pupil. The amendment prohibits a school board from disclosing a pupil record containing a biological identifier to a state or federal official or agency, and places limits on disclosure to nonemployees who serve certain functions as “school officials.”

Legislative History

Assembly Substitute Amendment 2 was offered by Representative Larson. On March 13, 2014, the Assembly Committee on Education recommended adoption of Assembly Substitute Amendment 2 and passage of the bill, as amended, on votes of Ayes, 7; Noes, 3.

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