GOVERNOR OF MISSOURI

JEFFERSON CITY
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JEREMIAH W. (JAY) NIXON
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TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 523 entitled:

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to the use of radio frequency identification technology in school districts.

I disapprove of Senate Bill No. 523. My reasons for disapproval are as follows:

Senate Bill No. 523 is the latest effort by the General Assembly to erode the ability of local school officials to determine what is best for their school districts, students and staff. This legislation would ban a school district from requiring a student to use an identification device that employs radio frequency identification technology "or similar technology" unless there is "physical contact between a card, badge, or tag and another device."

Local school officials are in the best position to determine the appropriate use of this technology within their school districts. Indeed, the technology sought to be banned could be a significant public safety tool during emergency situations. Quickly identifying the location of students during a critical incident unfolding at a school or during a natural disaster is vitally important to law enforcement and first responders. Prohibiting the use of this technology would eliminate an important option for school districts to consider when analyzing measures to protect the safety and security of their students.

In addition, the vague language used in Senate Bill No. 523 fails to distinguish between active radio frequency identification technology, which continuously transmits information, and passive radio frequency identification technology, which does not, or to indicate whether such technology must be directly assigned to an individual student. As a result, the ban contained in Senate Bill No. 523 could prohibit tags placed in laptops, iPads, or other devices assigned to a student that would be tracked when brought through a fixed portal or a hand-scanning device.

It is inappropriate for the state to impose restrictions such as those contained in Senate Bill No. 523 upon local education leaders. On issues such as this, local officials should be permitted to have open and robust discussions with school staff, parents and other interested stakeholders and implement programs determined to be the most appropriate for their districts. Local school officials are in the best position to make such decisions, and I will stand with them by not approving Senate Bill No. 523.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 523 without my approval.

Respectfully submitted,

Jeremiah W. (Jay) Nixon
Governor