



Sen. Karina Villa

Filed: 5/11/2026

10400SB0415sam001

LRB104 06653 LNS 37580 a

1 AMENDMENT TO SENATE BILL 415

2 AMENDMENT NO. _____. Amend Senate Bill 415 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 10-20.40 and 34-18.34 as follows:

6 (105 ILCS 5/10-20.40)

7 Sec. 10-20.40. Student biometric information.

8 (a) For the purposes of this Section: 7

9 "Biometric" ~~"biometric"~~ information" means any information
10 that is collected through an identification process for
11 individuals based on their unique behavioral or physiological
12 characteristics, including fingerprint, hand geometry, voice,
13 or facial recognition or iris or retinal scans.

14 "Biometric system" means any combination of hardware,
15 software, firmware, or tools used to obtain, collect, process,
16 store, transmit, display, or otherwise handle biometric

1 information, including, but not limited to, facial recognition
2 or voice recognition software and software to conduct
3 fingerprint, hand geometry, or iris or retinal scans.

4 "Facial recognition" means any tool using an automated or
5 semiautomated process that assists in uniquely identifying or
6 verifying a person by comparing or analyzing patterns based on
7 the person's face.

8 (a-5) Except for legitimate instructional purposes, as
9 determined by a school district, a school district is
10 prohibited from purchasing or otherwise acquiring biometric
11 systems to use on students. This subsection does not apply to a
12 school district that purchases or acquires a biometric system
13 but disables the biometric capabilities of that system so it
14 cannot be used on students or has no reasonable knowledge that
15 the software the school district purchased or otherwise
16 acquired has biometric capabilities.

17 (a-10) By the 2027-2028 school year, a school district
18 shall ensure that the biometric systems it uses are used only
19 for legitimate instructional purposes.

20 (b) School districts that collect biometric information
21 from students for legitimate instructional purposes shall
22 adopt policies that require, at a minimum, all of the
23 following:

24 (1) Written permission from the individual who has
25 legal custody of the student, as defined in Section
26 10-20.12b of this Code, or from the student if he or she

1 has reached the age of 18.

2 (2) The discontinuation of use of a student's
3 biometric information under either of the following
4 conditions:

5 (A) upon the student's graduation or withdrawal
6 from the school district; or

7 (B) upon receipt in writing of a request for
8 discontinuation by the individual having legal custody
9 of the student or by the student if he or she has
10 reached the age of 18.

11 (3) The destruction of all of a student's biometric
12 information within 30 days after the use of the biometric
13 information is discontinued in accordance with item (2) of
14 this subsection (b).

15 (4) The use of biometric information solely for
16 identification or fraud prevention.

17 (5) A prohibition on the sale, lease, or other
18 disclosure of biometric information to another person or
19 entity, unless:

20 (A) the individual who has legal custody of the
21 student or the student, if he or she has reached the
22 age of 18, consents to the disclosure; or

23 (B) the disclosure is required by court order.

24 (6) The storage, transmittal, and protection of all
25 biometric information from disclosure.

26 (c) Failure to provide written consent under item (1) of

1 subsection (b) of this Section by the individual who has legal
2 custody of the student or by the student, if he or she has
3 reached the age of 18, must not be the basis for refusal of any
4 services otherwise available to the student.

5 (d) Student biometric information may be destroyed without
6 notification to or the approval of a local records commission
7 under the Local Records Act if destroyed within 30 days after
8 the use of the biometric information is discontinued in
9 accordance with item (2) of subsection (b) of this Section.

10 (e) Nothing in this Section may be construed to conflict
11 with a school district's obligations under federal law,
12 including, but not limited to, the Individuals with
13 Disabilities Education Act and Section 504 of the
14 Rehabilitation Act of 1973.

15 (Source: P.A. 95-232, eff. 8-16-07; 95-793, eff. 1-1-09;
16 95-876, eff. 8-21-08; 96-328, eff. 8-11-09.)

17 (105 ILCS 5/34-18.34)

18 Sec. 34-18.34. Student biometric information.

19 (a) For the purposes of this Section: 7

20 "Biometric" ~~"biometric"~~ information" means any information
21 that is collected through an identification process for
22 individuals based on their unique behavioral or physiological
23 characteristics, including fingerprint, hand geometry, voice,
24 or facial recognition or iris or retinal scans.

25 "Biometric system" means any combination of hardware,

1 software, firmware, or tools used to obtain, collect, process,
2 store, transmit, display, or otherwise handle biometric
3 information, including, but not limited to, facial recognition
4 or voice recognition software and software to conduct
5 fingerprint, hand geometry, or iris or retinal scans.

6 "Facial recognition" means any tool using an automated or
7 semiautomated process that assists in uniquely identifying or
8 verifying a person by comparing or analyzing patterns based on
9 the person's face.

10 (a-5) Except for legitimate instructional purposes, as
11 determined by the school district, the school district is
12 prohibited from purchasing or otherwise acquiring biometric
13 systems to use on students. This subsection does not apply if
14 the school district purchases or acquires a biometric system
15 but disables the biometric capabilities of that system so it
16 cannot be used on students or has no reasonable knowledge that
17 the software the school district purchased or otherwise
18 acquired has biometric capabilities.

19 (a-10) By the 2027-2028 school year, the school district
20 shall ensure that the biometric systems it uses are used only
21 for legitimate instructional purposes.

22 (b) If the school district collects biometric information
23 from students for legitimate instructional purposes, the
24 district shall adopt a policy that requires, at a minimum, all
25 of the following:

26 (1) Written permission from the individual who has

1 legal custody of the student, as defined in Section
2 10-20.12b of this Code, or from the student if he or she
3 has reached the age of 18.

4 (2) The discontinuation of use of a student's
5 biometric information under either of the following
6 conditions:

7 (A) upon the student's graduation or withdrawal
8 from the school district; or

9 (B) upon receipt in writing of a request for
10 discontinuation by the individual having legal custody
11 of the student or by the student if he or she has
12 reached the age of 18.

13 (3) The destruction of all of a student's biometric
14 information within 30 days after the use of the biometric
15 information is discontinued in accordance with item (2) of
16 this subsection (b).

17 (4) The use of biometric information solely for
18 identification or fraud prevention.

19 (5) A prohibition on the sale, lease, or other
20 disclosure of biometric information to another person or
21 entity, unless:

22 (A) the individual who has legal custody of the
23 student or the student, if he or she has reached the
24 age of 18, consents to the disclosure; or

25 (B) the disclosure is required by court order.

26 (6) The storage, transmittal, and protection of all

1 biometric information from disclosure.

2 (c) Failure to provide written consent under item (1) of
3 subsection (b) of this Section by the individual who has legal
4 custody of the student or by the student, if he or she has
5 reached the age of 18, must not be the basis for refusal of any
6 services otherwise available to the student.

7 (d) Student biometric information may be destroyed
8 without notification to or the approval of a local records
9 commission under the Local Records Act if destroyed within 30
10 days after the use of the biometric information is
11 discontinued in accordance with item (2) of subsection (b) of
12 this Section.

13 (e) Nothing in this Section may be construed to conflict
14 with the school district's obligations under federal law,
15 including, but not limited to, the Individuals with
16 Disabilities Education Act and Section 504 of the
17 Rehabilitation Act of 1973.

18 (Source: P.A. 95-232, eff. 8-16-07; 95-793, eff. 1-1-09;
19 95-876, eff. 8-21-08.)".