

STATE OF KANSAS

SENATE CHAMBER

MADAM PRESIDENT:

I move to amend **SB 342**, as amended by Senate Committee, on page 3, in line 10, by striking "except as provided in subsection (c),"; by striking all in lines 12 through 20 and inserting the following:

"(A) For legitimate research purposes subject to and as allowed by federal and state law, and under the direction of a school district or the state department of education, provided the student information is not used for advertising or to amass a profile on the student for purposes other than educational purposes, or for any other purposes other than educational purposes;

(B) that information described in section 2(e)(2) and (e)(8), and amendments thereto, upon request by a school district or state agency for educational purposes;"

Also on page 3, in line 21, by striking "(D)" and inserting "(C) to law enforcement agencies or to a court of competent jurisdiction";

On page 4, in line 3, by striking all after "(c)"; by striking all in lines 4 through 14; in line 15, by striking "(d)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 5, following line 27, by inserting:

"Sec. 4. (a) A student, or such student's parent or legal guardian, may bring a cause of action against any operator who violates any provision of section 3, and amendments thereto, with respect to such student's student information. Such action may be brought in the district court of the county in which such student resides.

(b) Upon a finding that an operator violated any provision of section 3, and amendments

thereto, the court may award appropriate relief, including:

(1) Money damages for all psychological, emotional and physical harm suffered as a result of such violation; and

(2) reasonable attorney fees and costs.";

And by renumbering sections accordingly

Senator _____