

HOUSE JOINT RESOLUTION NO. 17

INTRODUCED BY A. REGIER, K. REGIER, B. USHER, B. LER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF FACIAL RECOGNITION TECHNOLOGY; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 69TH LEGISLATURE.

WHEREAS, facial recognition technology is software used to identify or verify the identity of individuals based by comparing facial images; and

WHEREAS, facial recognition technology is increasingly used by Montana businesses and government agencies, including law enforcement, for widely varying purposes; and

WHEREAS, the technology can be used to investigate and solve crimes, prevent fraud, and help find missing people; and

WHEREAS, other states and local governments have enacted or are considering legislation to set parameters for the use of facial recognition technology in response to concerns about how the technology might be used in some applications in the absence of certain rules and about the potential impact to privacy and constitutional rights; and

WHEREAS, no related laws currently exist in the state.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to:

- (1) examine which state agencies use facial recognition technology and for what purposes;
- (2) examine current and future uses of facial recognition technology to support criminal investigations in the state;
- (3) examine how facial recognition technology could further support and improve agency operations and services for citizens, fulfill agency missions, and improve public safety;

1 (4) study the uses of facial recognition technology for school security purposes in the state and in
2 other states; and

3 (5) evaluate protective measures and regulations on the use of facial recognition technology that
4 could build public trust, guard against the possibility of future misuse, and fully preserve the current benefits.

5 BE IT FURTHER RESOLVED, that the study involve input from appropriate stakeholders, including but
6 not limited to representatives of state agencies, school districts, and public and private sector entities that
7 employ, manufacture, or provide facial recognition technology.

8 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
9 presented to and reviewed by an appropriate committee designated by the Legislative Council.

10 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
11 requirements, be concluded prior to September 15, 2024.

12 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
13 comments, or recommendations of the appropriate committee, be reported to the 69th Legislature.

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