

## PD-6-HJ48: PROVISIONAL DRAFT SUMMARY

### BACKGROUND

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At its April meeting, the Economic Affairs Interim Committee (EAIC) requested a bill draft to establish general policies for government use of facial recognition technology.

### SUMMARY

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#### **General Description:**

This bill addresses the state's use of facial recognition technology.

#### **Highlighted Provisions:**

This bill:

- Defines terms;
- Establishes the purposes for using facial recognition by state and local government agencies;
- Provides for notice of intent, policy, and retention requirements for state and local government agencies, and third-party vendors contracting with state and local government agencies;
- Discusses a policy on meaningful human review;
- Addresses disclosure requirements for criminal defendants;
- Restricts the use of facial recognition services by state and local government agencies;
- Allows the use of facial recognition services by law enforcement under certain circumstances;
- Establishes the process for law enforcement agencies to request facial recognition services;
- Provides exemptions for certain federal entities;
- Establishes audit and reporting procedures; and
- Provides for penalty and relief for violation

#### **Money Appropriated in this Bill:**

None

#### **Other Special Clauses:**

- Grandfather clause for existing third-party vendor contracts within Department of Corrections, Department of Justice, and Department of Labor & Industry.
- Severability clause

#### **Effective Date:**

October 1, 2023