

1 SB113
2 210644-3
3 By Senator Orr
4 RFD: Judiciary
5 First Read: 02-FEB-21
6 PFD: 01/28/2021

1 SB113

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to facial recognition technology; to
12 prohibit state or local state or local law enforcement
13 agencies from using facial recognition match results as the
14 sole basis for making an arrest or for establishing probable
15 cause in a criminal investigation.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. (a) For the purposes of this Act the
18 following terms shall have the following meanings:

19 (1) FACIAL RECOGNITION TECHNOLOGY. Any computer
20 software or application that, for the purpose of attempting to
21 determine the identity of an unknown individual, generates
22 facial biometric data, searches for matching facial biometric
23 data in a database populated with many individuals' facial
24 biometric data linked to personally identifiable information,
25 and provides match results based on the similarity between the
26 unknown individual's facial biometric data and the facial
27 biometric data in the database.

1 (2) FACIAL BIOMETRIC DATA. A unique numerical
2 representation of an individual's face generated by facial
3 recognition technology based on measurements derived from a
4 facial image, also known as a facial template.

5 Section 2. (a) A state or local law enforcement
6 agency may not use facial recognition technology match results
7 as the sole basis to establish probable cause in a criminal
8 investigation or to make an arrest.

9 (b) To establish probable cause in a criminal
10 investigation or to make an arrest, a state or local law
11 enforcement agency may use facial recognition technology match
12 results only in conjunction with other lawfully obtained
13 information and evidence.

14 Section 3. This act shall become effective on the
15 first day of the third month following its passage and
16 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Judiciary..... 02-FEB-21

Read for the second time and placed on the calen-
dar..... 10-FEB-21

Read for the third time and passed as amended 23-FEB-21

Yeas 28
Nays 0

Patrick Harris,
Secretary.