1   HB465

2   210873-1

3   By Representative Scott

4   RFD: Judiciary

5   First Read: 25-FEB-21

1   210873-1:n:02/24/2021:HB/ma LSA2021-663

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8   SYNOPSIS: This bill would prohibit state or local law

9   enforcement agencies from using facial recognition

10   technology match results as the sole basis for

11   making an arrest or for establishing probable cause

12   in a criminal investigation.

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14   A BILL

15   TO BE ENTITLED

16   AN ACT

17

18   Relating to facial recognition technology; to

19   prohibit state or local state or local law enforcement

20   agencies from using facial recognition match results as the

21   sole basis for making an arrest or for establishing probable

22   cause in a criminal investigation.

23   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24   Section 1. (a) For the purposes of this Act the

25   following terms shall have the following meanings:

26   (1)FACIAL RECOGNITION TECHNOLOGY. Any computer

27   software or application that, for the purpose of attempting to

1 determine the identity of an unknown individual, generates

2 facial biometric data, searches for matching facial biometric

3 data in a database populated with many individuals' facial

4 biometric data linked to personally identifiable information,

5 and provides match results based on the similarity between the

6 unknown individual's facial biometric data and the facial

7 biometric data in the database.

8 (2) FACIAL BIOMETRIC DATA. A unique numerical

9 representation of an individual's face generated by facial

10 recognition technology based on measurements derived from a

11 facial image, also known as a facial template.

12 Section 2. (a) A state or local law enforcement

13 agency may not use facial recognition technology match results

14 as the sole basis to establish probable cause in a criminal

15 investigation or to make an arrest.

16 (b) To establish probable cause in a criminal

17 investigation or to make an arrest, a state or local law

18 enforcement agency may use facial recognition technology match

19 results only in conjunction with other lawfully obtained

20 information and evidence.

21 Section 3. This act shall become effective on the

22 first day of the third month following its passage and

23 approval by the Governor, or its otherwise becoming law.