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3 HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HB197
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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
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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 BIOMETRIC DATA. A unique numerical
27 representation of an individual's face generated by facial

1 recognition technology based on measurements derived from a
2 facial image, also known as a facial template.

3 (2) FACIAL RECOGNITION TECHNOLOGY. Any computer
4 software or application that, for the purpose of attempting to
5 determine the identity of an unknown individual, generates
6 facial biometric data, searches for matching facial biometric
7 data in a database populated with many individuals' facial
8 biometric data linked to personally identifiable information,
9 and provides match results based on the similarity between the
10 unknown individual's facial biometric data and the facial
11 biometric data in the database.

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.