

SB0587/658572/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 587
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “**Facial**” insert “**Task Force on**”; in the same line, strike “**Act**”; strike beginning with “requiring” in line 3 down through “Act;” in line 25 and substitute “establishing the Task Force on Facial Recognition Privacy Protection; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act;”; and in line 25, strike “facial recognition services” and substitute “the Task Force on Facial Recognition Privacy Protection”.

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 1 on page 2.

AMENDMENT NO. 2

On page 2, in line 3, strike “the Laws of Maryland read as follows”; and after line 3, insert:

“(a) There is a Task Force on Facial Recognition Privacy Protection.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

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(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Public Safety and Correctional Services, or the Secretary's designee;

(4) the Public Defender, or the Public Defender's designee;

(5) the Superintendent of Police, or the Superintendent's designee; and

(6) the following members, appointed by the Governor:

(i) one member from the Center on Privacy and Technology at Georgetown University;

(ii) a Bloomberg Distinguished Professor from the Departments of Electrical and Computer Engineering and Biomedical Engineering at Johns Hopkins University;

(iii) one member from a manufacturer of facial recognition technology;

(iv) one member from the Maryland State's Attorneys' Association;

(v) one member from the Security Industry Association;

(vi) one member from the Maryland Chiefs of Police Association;

(vii) one member from the Maryland Sheriffs' Association;

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(viii) one member from the American Civil Liberties Union of Maryland; and

(ix) one member from the Lawyers' Committee for Civil Rights Under Law.

(c) (i) The member of the Senate of Maryland who is appointed to the Task Force shall chair the Task Force.

(ii) The member of the House of Delegates appointed to the Task Force shall serve as vice-chair of the Task Force.

(d) The Department of Legislative Services shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study current and planned uses of facial recognition technology by State and local government agencies, including by reviewing regulatory schemes that are in place in the State;

(2) review facial recognition technology, including the current and potential future capabilities of facial recognition technology;

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(3) review regulatory improvements that may be made to the way facial recognition technology is used in order to enhance individual privacy rights;

(4) review federal, state, and local legislation and guidelines related to the use of facial recognition;

(5) review literature regarding facial recognition technology and its implication on constitutional rights; and

(6) make recommendations to set guardrails for the use of facial recognition technology by the State and local governments.

(g) On or before December 6, 2021, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.”.

On pages 2 through 13, strike in their entirety the lines beginning with line 4 on page 2 through line 6 on page 13, inclusive.

On page 13, in line 7, strike “3.” and substitute “2.”; in line 8, strike “October” and substitute “July”; and in the same line, after “2021.” insert “It shall remain effective for a period of 1 year and, at the end of June 30, 2022, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.