

# ASSEMBLY, No. 1210

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# STATE OF NEW JERSEY

## 219th LEGISLATURE

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman ANDREW ZWICKER**

**District 16 (Hunterdon, Mercer, Middlesex and Somerset)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**SYNOPSIS**

Requires public hearing prior to use of facial recognition technology by law enforcement agency.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning facial recognition technology and  
2 supplementing Title 2A of the New Jersey Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. Prior to the use of facial recognition technology by a  
8 State, county, or municipal law enforcement agency, the Attorney  
9 General or the governing body of that county or municipality, as  
10 appropriate, shall hold a public hearing, with adequate notice to the  
11 public, concerning the law enforcement agency's use of the  
12 technology.

13 b. If a State, county, or municipal law enforcement agency is  
14 currently using facial recognition technology, the Attorney General  
15 or the governing body of that county or municipality, as  
16 appropriate, shall hold a public hearing, with adequate notice to the  
17 public, concerning the law enforcement agency's use of the  
18 technology within 60 days of the effective date of P.L. , c. (C )  
19 (pending before the Legislature as this bill).

20 c. The Attorney General or the governing body of the county or  
21 municipality, as appropriate, shall identify clear objectives and  
22 goals of the use of facial recognition technology by a State, county,  
23 or municipal law enforcement agency during the public hearing  
24 required pursuant to subsection a. or b. of this section. The  
25 Attorney General or the governing body of the county or  
26 municipality, as appropriate, shall hold a second public hearing,  
27 with adequate notice to the public, five years after the initial public  
28 hearing to determine if the objectives and goals have been met.

29 d. As used in this section, "facial recognition technology"  
30 means a computer application which uses facial recognition  
31 algorithms to identify or verify a person from a digital image or  
32 video frame from a video source.

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34 2. This act shall take effect immediately.

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STATEMENT

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39 This bill requires a public hearing prior to the use of facial  
40 recognition technology by a law enforcement agency.

41 Under the provisions of this bill, prior to the use of facial  
42 recognition technology by a State, county, or municipal law  
43 enforcement agency, the Attorney General or the governing body of  
44 that county or municipality, as appropriate, is required to hold a  
45 public hearing, with adequate notice to the public, concerning the  
46 law enforcement agency's use of the technology. In addition, if a  
47 law enforcement agency is currently using facial recognition  
48 technology, the Attorney General or the governing body of that

**A1210 ZWICKER, CONAWAY**

1 county or municipality is required to hold the public hearing within  
2 60 days of the effective date of this bill.

3 Under the bill, the Attorney General or the governing body of the  
4 county or municipality, as appropriate, is required to identify clear  
5 objectives and goals of the use of facial recognition technology by a  
6 State, county, or municipal law enforcement agency during the  
7 public hearing. In addition, the Attorney General or the governing  
8 body of the county or municipality, as appropriate, is required to  
9 hold a second public hearing, with adequate notice to the public,  
10 five years after the initial public hearing to determine if the  
11 objectives and goals have been met.

12 Finally, the bill defines “facial recognition technology” as a  
13 computer application which uses facial recognition algorithms to  
14 identify or verify a person from a digital image or video frame from  
15 a video source.