STATE OF NEW YORK

3234

2021-2022 Regular Sessions

IN SENATE

January 28, 2021

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Internet and Technology

AN ACT to enact the "facial recognition technology study act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "facial recognition technology study act".

§ 2. a. A task force is hereby established to study the proper regulatory approach to the development of facial recognition technology. For purposes of this act "facial recognition technology" shall mean technology capable of identifying or verifying a person from a digital image or a video frame or from a video source by comparing facial features from a given image with faces within a database.

b. The task force shall study:

(i) the potential privacy concerns that facial recognition technology presents to individuals and the public;

(ii) the regulatory actions other states, localities, or countries have taken with regard to the development of such technology;

(iii) the ways such technology can be misused or abused;

(iv) the best administrative methods for regulating such technology and how to prepare for future developments through innovation of such technology; and

(v) any other subject that is related to the intent of this act as determined by the chairperson.

c. No later than one year after the effective date of this act, the task force shall report its findings to the governor and the legislature, as described under subdivision b of this section.

§ 3. a. The task force shall be comprised of:

(i) two members appointed by the governor;

(ii) two members appointed by the temporary president of the senate;

(iii) two members appointed by the speaker of the assembly; and

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(iv) one member appointed by the director of the office of information technology services.

b. One of the appointments by the governor shall serve as chairperson of the task force.

c. The members of the task force shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their services.

d. All departments, divisions, bureaus, commissions, districts or agencies of the state or any political subdivisions thereof shall, at the request of the chairperson, provide the task force with such facilities, assistance and data as will enable the task force to carry out its powers and duties.

§ 4. This act shall take effect immediately.