

1 SB56  
2 217323-3  
3 By Senators Orr, Singleton, Smitherman, Whatley, Scofield,  
4 Stutts, Price and Chesteen  
5 RFD: Governmental Affairs  
6 First Read: 11-JAN-22

1 SB56

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4 ENROLLED, An Act,

5 Relating to facial recognition technology; to  
6 prohibit state or local state or local law enforcement  
7 agencies from using facial recognition match results as the  
8 sole basis for making an arrest or for establishing probable  
9 cause in a criminal investigation.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. (a) For the purposes of this Act the  
12 following terms shall have the following meanings:

13 (1) FACIAL BIOMETRIC DATA. A unique numerical  
14 representation of an individual's face generated by facial  
15 recognition technology based on measurements derived from a  
16 facial image, also known as a facial template.

17 (2) FACIAL RECOGNITION TECHNOLOGY. Any computer  
18 software or application that, for the purpose of attempting to  
19 determine the identity of an unknown individual, generates  
20 facial biometric data, searches for matching facial biometric  
21 data in a database populated with many individuals' facial  
22 biometric data linked to personally identifiable information,  
23 and provides match results based on the similarity between the  
24 unknown individual's facial biometric data and the facial  
25 biometric data in the database.

1           Section 2. (a) A state or local law enforcement  
2 agency may not use facial recognition technology match results  
3 as the sole basis to establish probable cause in a criminal  
4 investigation or to make an arrest.

5           (b) To establish probable cause in a criminal  
6 investigation or to make an arrest, a state or local law  
7 enforcement agency may use facial recognition technology match  
8 results only in conjunction with other lawfully obtained  
9 information and evidence.

10           Section 3. This act shall become effective on the  
11 first day of the third month following its passage and  
12 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB56

Senate 01-FEB-22

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Amended and passed 31-MAR-22

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Senate concurred in House amendment 05-APR-22

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By: Senator Orr