

SB1038 • California

Law enforcement: facial recognition and other biometric surveillance.

Introduced

Risk: High

Amendment

Last Action (May 27, 2022): Ordered to inactive file.

Summary

SB1038 extends the prohibition on law enforcement use of biometric surveillance systems indefinitely, protecting privacy rights.

Business Impact

If you operate a law enforcement agency in California, you must refrain from using biometric surveillance systems indefinitely or face legal action.

Key Provisions

- Prohibits law enforcement from using biometric surveillance systems indefinitely.
- Allows individuals to seek legal action against violations of this prohibition.
- Defines key terms related to biometric data and surveillance.
- Exempts lawful use of mobile fingerprint scanning devices under specific conditions.
- Emphasizes the protection of privacy rights and civil liberties.
- Addresses the risks of misidentification and the impact on marginalized communities.

Compliance Checklist

- Refrain from using biometric surveillance systems. | Who: All law enforcement agencies in California. | Penalty: Legal action for equitable or declaratory relief.

Industries Affected

Law Enforcement

Technology

Public Safety

Surveillance Technology

Topics

Facial Recognition

Bill Sponsors

Name	Party	Role
Steven Bradford	D	Sponsor

Roll Call Votes

Date	Description	Yea	Nay	Result
2022-05-26	Senate 3rd Reading SB1038 Bradford	19	9	Passed
2022-05-26	Senate 3rd Reading SB1038 Bradford Reconsider	38	0	Passed
2022-03-15	Do pass	4	1	Passed

Official Source

https://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=202120220SB1038

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