

HB338 • Maryland

Criminal Procedure – Facial Recognition Technology – Requirements, Procedures, and Prohibitions

Passed Both Chambers

Risk: Medium

Comprehensive

Effective: Oct 01, 2024 | Last Action (May 16, 2024): Approved by the Governor - Chapter 809

Summary

The bill establishes requirements, procedures, prohibitions, and penalties for law enforcement's use of facial recognition technology.

Business Impact

If you operate a law enforcement agency in Maryland, you must comply with new facial recognition technology regulations by June 30, 2026, or face penalties.

Key Provisions

- Establishes requirements for the use of facial recognition technology by law enforcement agencies.
- Mandates a training program on facial recognition technology by June 30, 2026.
- Requires annual reporting to the General Assembly on the use of facial recognition technology.
- Imposes prohibitions on continuous surveillance and discriminatory use of facial recognition technology.
- Outlines penalties for non-compliance, including fines and suspension of technology use.
- Aims to enhance accountability and transparency in law enforcement practices.

Compliance Checklist

- Implement a training program on facial recognition technology | Who: Department of Public Safety and Correctional Services | Penalty: Potential penalties for non-compliance
- Report usage of facial recognition technology annually to the General Assembly | Who: Governor's Office of Crime Prevention, Youth, and Victim Services | Penalty: Potential penalties for non-compliance

Industries Affected

Consumer Protection Government Public Safety Technology Law Enforcement Transportation

Topics

Facial Recognition AI in Law Enforcement

Bill Sponsors

Name	Party	Role
Angel		Cosponsor
Acevero		Cosponsor
Barron		Cosponsor
Cardin		Cosponsor
Kelly		Cosponsor
R. Lewis		Cosponsor
Love		Cosponsor
Proctor		Cosponsor
Washington		Cosponsor
C. Watson		Cosponsor
K. Young		Cosponsor
Bartlett		Cosponsor

Roll Call Votes

Date	Description	Yea	Nay	Result
2024-03-28	On Third Reading and Final Passage (Hse concurred)	138	0	Passed
2024-03-23	On Third Reading	43	0	Passed
2024-03-09	On Third Reading	137	0	Passed

Amendments

- Favorable with Amendments 373829/1 Adopted — 2024-03-15 (Adopted)
- Favorable with Amendments 593825/1 Adopted — 2024-04-05 (Adopted)

Related Bills

- SB182 (MD)
- SB192 (MD)
- HB223 (MD)
- SB762 (MD)
- HB1046 (MD)

Official Source

<https://mgaleg.maryland.gov/mgaweb/Legislation/Details/2024RS/0338>

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