

HB1202 • Maryland

Labor and Employment - Use of Facial Recognition Services - Prohibition

Passed Both Chambers

Risk: Medium

Comprehensive

Effective: Oct 01, 2020 | Last Action (May 08, 2020): Enacted under Article II, Section 17(c) of the Maryland Constitution - Chapter 446

Summary

This bill prohibits certain employers from using facial recognition services during job interviews without applicant consent and specifies penalties for non-compliance.

Business Impact

If you use facial recognition in hiring in Maryland, you must obtain applicant consent or face legal consequences.

Key Provisions

- Prohibits certain employers from using facial recognition services during job interviews without consent.
- Requires applicants to provide consent through a signed waiver.
- Specifies the contents that must be included in the waiver.
- Specifies penalties for non-compliance.

Compliance Checklist

- Obtain written consent from applicants before using facial recognition technology. | Who: Employers conducting job interviews. | Penalty: Potential legal action from applicants.
- Ensure waiver includes specific information about the facial recognition technology used. | Who: Employers. | Penalty: Potential legal action from applicants.

Industries Affected

Employment

Employment
Services

Human
Resources

Consumer
Protection

Law
Enforcement

Technology

Topics

AI in Employment

Facial Recognition

Bill Sponsors

| Name | Party | Role |
|-----------------|-------|-----------|
| Anderson | | Cosponsor |
| Dumais | | Cosponsor |
| Fennell | | Cosponsor |
| B. Barnes | | Cosponsor |
| Proctor | | Cosponsor |
| Washington | | Cosponsor |
| Lehman | | Primary |
| Valentino-Smith | | Cosponsor |
| Healey | | Cosponsor |
| Malone | | Cosponsor |
| Moon | | Cosponsor |
| Morales | | Primary |

Roll Call Votes

| Date | Description | Yea | Nay | Result |
|------------|------------------|-----|-----|--------|
| 2020-03-10 | On Third Reading | 133 | 0 | Passed |

Related Bills

- HB720 (MD)

Official Source

<https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB1202?ys=2020RS>

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