

# SB46 • Maryland

## State's Attorney - Required Disclosure - Facial Recognition and DNA Analysis and Search

Introduced

Risk: Medium

Comprehensive

Last Action (Jan 27, 2020): Unfavorable Report by Judicial Proceedings; Withdrawn

### Summary

This bill mandates timely disclosure by the State's Attorney to defendants regarding the use of facial recognition and forensic genetic genealogical DNA analysis in certain criminal cases.

### Business Impact

If you use facial recognition technology in criminal investigations in Maryland, you must disclose its use to defendants promptly or face legal repercussions.

### Key Provisions

- Requires timely disclosure of facial recognition technology use in certain criminal cases.
- Mandates disclosure of forensic genetic genealogical DNA analysis technology used in investigations.
- Defines terms related to facial recognition and forensic genetic genealogical DNA analysis.
- Aims to enhance transparency in the criminal justice process.
- Protects defendants' rights by ensuring they are informed of technological evidence.

### Compliance Checklist

- Disclose the use of facial recognition technology to defendants | Who: State's Attorney | Penalty: Legal challenges or implications for prosecution integrity
- Disclose the use of DNA analysis technology to defendants | Who: State's Attorney | Penalty: Legal challenges or implications for prosecution integrity

### Industries Affected

Technology

Legal Services

Consumer  
Protection

Legal

Law Enforcement

## Topics

AI Transparency

Facial Recognition

## Bill Sponsors

Name	Party	Role
Hough		Cosponsor
Chair		Primary
Finance Committee (By Request - Departmental - Maryland Insurance Administration)		Cosponsor
Reilly		Primary
Simonaire		Primary
Young		Cosponsor
Kagan		Cosponsor
Salling		Cosponsor
Waugh		Cosponsor
Lee		Primary
McCray		Primary
Lam		Primary

## Roll Call Votes

Date	Description	Yea	Nay	Result
2019-04-02	On third reading	45	0	Passed
2019-04-01	On Third Reading	136	0	Passed

## Official Source

<https://mgaleg.maryland.gov/mgaweb/Legislation/Details/SB0046?ys=2020RS>

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