

# A10036 • New York

Bans the use of biometric data by any state agency, local agency, division of state police, police agency, police officer, peace officer or any employee thereof.

Introduced

Risk: High

Comprehensive

Last Action (Apr 29, 2022): referred to governmental operations

## Summary

This bill bans the use of biometric data by state and local agencies in New York, with exceptions for collecting genetic or fingerprint samples at crime scenes and redacting recordings.

## Business Impact

If you operate a state or local agency in New York, you must cease using biometric recognition technology immediately or face legal consequences.

## Key Provisions

- Prohibits state and local agencies from using biometric recognition technology.
- Mandates immediate cessation of current biometric data use unless required by law.
- Requires annual reporting on biometric technology use and equity impact assessments.
- Defines 'biometric data' and 'biometric recognition technology' comprehensively.
- Allows limited use of biometric technology for employee authentication.
- Exempts public health and education agencies under specific conditions.
- Permits collection of genetic or fingerprint samples abandoned at crime scenes or from consenting victims.
- Allows use of biometric technology for redacting recordings to protect privacy.

## Compliance Checklist

- Cease all use of biometric recognition technology | Who: State and local agencies in New York | Penalty: Legal consequences for non-compliance
- Submit annual report detailing biometric technology use | Who: Agencies using biometric technology | Penalty: Potential legal repercussions for failure to report

## Industries Affected

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Technology

Public Sector

Government

Employment

Law Enforcement

## Bill Sponsors

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Name	Party	Role
PAULIN		Primary
GALEF		Cosponsor
OTIS		Cosponsor
SEAWRIGHT		Cosponsor
COLTON		Cosponsor
D'URSO		Cosponsor
JEAN-PIERRE		Primary
GONZALEZ-ROJAS		Primary
Carrie Woerner	Democratic	Primary
Donna Lupardo	Democratic	Cosponsor
Andrew Hevesi	Democratic	Primary

## Official Source

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<https://www.nysenate.gov/legislation/bills/2021/A10036>

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