Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 720   (Delegate Fisher, *et al.*)

Appropriations

Labor and Employment - Prohibition on Use of Facial Recognition Services by Employers - Application

This bill expands an existing general prohibition on employers' use of a facial recognition service to create a facial template during an applicant's interview for employment to include units of State and local government as employers.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations and appears to generally align with existing practices. No State agency contacted for this fiscal and policy note indicated use of a facial recognition service during interviews for employment.

Local Effect: The bill does not materially affect local government finances or operations; to the extent one or more local governments use a facial recognition service during interviews for employment, interview procedures must be changed.

Small Business Effect: None.

Analysis

Current Law: Chapter 446 of 2020 prohibits an employer from using a facial recognition service for the purpose of creating a facial template during an applicant's interview for employment unless an applicant consents by signing a specified waiver. "Facial recognition service" is defined as technology that analyzes facial features and is used for recognition or persistent tracking of individuals in still or video images. The Act does not apply to State or local governments as employers.

Additional Information

Analysis by: Stephen M. Ross

Direct Inquiries to:
(410) 946-5510
(301) 970-5510