



## **SB 857 – Facial Recognition Services - Moratorium**

**Senate Finance Committee**

**March 11, 2020**

**Favorable with Amendments**

Senate Bill 857 is emergency legislation that, “generally prohibits the use of facial recognition services (or any information derived from facial recognition services) in the State. The bill defines “facial recognition service as” technology that analyzes facial features and is used for recognition or persistent tracking of individuals in still or video images. The Office of the Attorney General has exclusive authority to enforce the bill by bringing an action in the name of the State, or as *parens patriae* on behalf of persons residing in the State. A violator may be subject to an injunction and be liable for a civil penalty of up to \$2,500 for each unintentional violation or \$7,500 for each intentional violation. The bill also declares various findings of the General Assembly related to facial recognition services. The bill abrogates after one year.”

The Maryland Bankers Association represents FDIC-insured community, regional and nationwide banks that employ more than 26,000 Marylanders and hold more than \$142 billion in deposits in 1,420 branches across our State.

Our members are required by federal law to have adequate security protections for banks and bank customers. This includes security cameras that are included on ATM’s, inside and outside branch facilities, etc. It is not clear how SB 857 would impact a bank’s compliance with these federal requirements and a bank’s ability to continue to utilize this technology.

MBA appreciates the concern for facial recognition privacy. However, if this legislation should advance this session, MBA respectfully requests that banks be excepted from the legislation for the reasons stated above.