Senate
State of Minnesota

SC5873-1 – Facial Recognition Technology Bill Draft

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SC5873-1 is a bill draft regulating law enforcement use of facial recognition technology and facial recognition data.

Subdivision 1. Definitions. Defines the following terms: "facial recognition data;" "facial recognition technology;" "law enforcement agency;" and "private entity."

Subd. 2. Private agreements prohibited. Prohibits law enforcement agencies from entering into agreements or information arrangement with a private entity to purchase, acquire, or collect, or use facial recognition data.

Subd. 3. Access to data. An individual who is the subject of facial recognition data has access to that data unless the data is part of an active criminal investigation. Law enforcement agencies must comply with the Minnesota Government Data Practices Act with respect to facial recognition technology and facial recognition data.

Subd. 4. Written policy required. A law enforcement agency must establish and enforce a written policy governing its use of facial recognition technology and make the policy available publicly.

Subd. 5. Inventory of facial recognition technology. A law enforcement agency must maintain information about: (1) the number of times facial recognition technology aided in a criminal investigation; (2) number of times facial recognition technology was used for reasons other than criminal investigations; and (3) number of times and the reason a law enforcement agency shared the technology or data with another law enforcement agency, government entity, or federal agency.

Subd. 6. Notification to the Bureau of Criminal Apprehension. Requires a law enforcement agency to notify the BCA within ten days of obtaining new facial recognition technology. The notification must include a description of the technology and intended uses.