



# House of Representatives

General Assembly

**File No. 64**

February Session, 2016

Substitute House Bill No. 5326

*House of Representatives, March 21, 2016*

The Committee on General Law reported through REP. BARAM of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT REQUIRING CERTAIN RETAIL BUSINESS ESTABLISHMENTS TO DISPLAY SIGNS REGARDING THE USE OF FACIAL RECOGNITION TECHNOLOGY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2016*) (a) Each retail business  
2 establishment that captures and stores biometric identifiers of  
3 individuals entering or within the retail business establishment shall  
4 display a sign in a conspicuous location visible to individuals entering  
5 the retail business establishment. The sign shall measure a minimum  
6 of eight inches in height and ten inches in length and the lettering shall  
7 be in a size and style that allows such sign to be read without difficulty  
8 by individuals entering the premises. The sign shall bear the following  
9 statement: "This establishment uses facial recognition technology to  
10 capture and store images of the faces of persons on the premises". For  
11 the purposes of this subsection, "biometric identifier" means a record  
12 of facial geometry, including, but not limited to, an image of an  
13 individual's face captured and stored utilizing facial recognition  
14 software.

15 (b) Any retail business establishment that does not display a sign, in  
16 violation of subsection (a) of this section, shall be fined one hundred  
17 dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2016	New section

**GL** Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

There is no fiscal impact associated with the Department of Consumer Protection (DCP) ensuring that certain businesses display a sign that states, "This establishment uses facial recognition technology to capture and store images of the faces of persons on the premises." The DCP inspects establishments due to existing statutes and regulations and could verify the existence of the required signs when on other business. It should be noted that the DCP may not have the ability to know whether establishments use facial recognition technology and therefore no fines are anticipated to be collected.

**The Out Years**

None

**OLR Bill Analysis****sHB 5326*****AN ACT REQUIRING CERTAIN RETAIL BUSINESS ESTABLISHMENTS TO DISPLAY SIGNS REGARDING THE USE OF FACIAL RECOGNITION TECHNOLOGY.*****SUMMARY:**

This bill requires retail business establishments that capture and store “biometric identifiers” of individuals entering or within the establishments to post a sign disclosing that fact. A biometric identifier is a record of facial geometry, such as an image of an individual’s face that is captured and stored using facial recognition software.

Under the bill, the sign must be (1) in a conspicuous location visible to individuals entering the establishment and (2) at least eight inches high and 10 inches long with lettering of a size and style that can be read without difficulty. The sign must state:

“This establishment uses facial recognition technology to capture and store images of the faces of persons on the premises.”

Businesses that fail to display the sign as required are subject to a \$100 fine.

EFFECTIVE DATE: July 1, 2016

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 15 Nay 3 (03/04/2016)