ASSEMBLY, No. 989

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman HERB CONAWAY, JR.
District 7 (Burlington)
Assemblyman ANDREW ZWICKER
District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS
  Requires AG to arrange for certain testing of facial recognition systems.

CURRENT VERSION OF TEXT
  Introduced Pending Technical Review by Legislative Counsel.

1   AN ACT concerning facial recognition systems and supplementing
2   Title 52 of the Revised Statutes.
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4   **BE IT ENACTED** *by the Senate and General Assembly of the State*
5   *of New Jersey:*
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7   1.   a.   The Attorney General shall, within 60 days after the
8   effective date of P.L.   , c.   (C.   ) (pending before the
9   Legislature as this bill), arrange for independent, third party testing
10   and auditing of the accuracy of the five most commonly available
11   facial recognition systems by market share, under operational
12   conditions. The testing and auditing shall determine whether there
13   is a statistically significant variation in the accuracy of the facial
14   recognition systems on the basis of race, skin tone, ethnicity,
15   gender, or age of the individuals portrayed in the images, whether
16   or not those categories are applied individually or in combination.
17   b.   The Attorney General shall submit a report to the
18   Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
19   19.1), containing the results of the testing required pursuant to
20   subsection a. of this section. The report shall be submitted within
21   30 days after the completion of the testing.
22   c.   As used in this section, "facial recognition system" means a
23   computer application which uses facial recognition algorithms to
24   identify or verify a person from a digital image or a video frame
25   from a video source.
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27   2.   This act shall take effect immediately.
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30   STATEMENT
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32   This bill requires the Attorney General to arrange for certain
33   testing of facial recognition systems. Under the provisions of the
34   bill, the Attorney General is required, within 60 days of the bill's
35   effective date, to arrange for independent, third party testing and
36   auditing of the accuracy of the five most commonly available facial
37   recognition systems by market share, under operational conditions.
38   The testing and auditing is required to determine whether there is
39   a statistically significant variation in the accuracy of the facial
40   recognition systems on the basis of race, skin tone, ethnicity,
41   gender, or age of the individuals portrayed in the images, whether
42   or not those categories are applied individually or in combination.
43   Under the bill, the Attorney General is required to submit a
44   report to the Legislature containing the results of the testing
45   required by the bill. The report is to be submitted within 30 days
46   after the completion of the testing.