ASSEMBLY, No. 1998

STATE OF NEW JERSEY

220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:
Assemblyman HERB CONAWAY, JR.
District 7 (Burlington)

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

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.
AN ACT concerning facial recognition systems and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. The Attorney General shall, within 60 days after the effective date of P.L. c. (pending before the Legislature as this bill), arrange for independent, third party testing and auditing of the accuracy of the five most commonly available facial recognition systems by market share, under operational conditions. The testing and auditing shall determine whether there is a statistically significant variation in the accuracy of the facial recognition systems on the basis of race, skin tone, ethnicity, gender, or age of the individuals portrayed in the images, whether or not those categories are applied individually or in combination.

b. The Attorney General shall submit a report to the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), containing the results of the testing required pursuant to subsection a. of this section. The report shall be submitted within 30 days after the completion of the testing.

c. As used in this section, “facial recognition system” means a computer application which uses facial recognition algorithms to identify or verify a person from a digital image or a video frame from a video source.

2. This act shall take effect immediately.

STATEMENT

This bill requires the Attorney General to arrange for certain testing of facial recognition systems. Under the provisions of the bill, the Attorney General is required, within 60 days of the bill’s effective date, to arrange for independent, third party testing and auditing of the accuracy of the five most commonly available facial recognition systems by market share, under operational conditions. The testing and auditing is required to determine whether there is a statistically significant variation in the accuracy of the facial recognition systems on the basis of race, skin tone, ethnicity, gender, or age of the individuals portrayed in the images, whether or not those categories are applied individually or in combination.

Under the bill, the Attorney General is required to submit a report to the Legislature containing the results of the testing required by the bill. The report is to be submitted within 30 days after the completion of the testing.