

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.



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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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.