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.
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. (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.