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H.595

Introduced by Representative Rachelson of Burlington

Referred to Committee on

Date:

Subject: Commerce and trade; consumer protection

Statement of purpose of bill as introduced: This bill proposes to require a business to provide notice to consumers when using facial recognition technology.

An act relating to regulating the use of facial recognition technology

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 9 V.S.A. § 2432 is added to read:

§ 2432. FACIAL RECOGNITION TECHNOLOGY

(a) As used in this section:

(1) “Facial recognition” means:

(A) the automated or semiautomated process that identifies or attempts to identify a person based on the characteristics of the person’s face, including identification of known or unknown persons or groups; or

(B) the automated or semiautomated process by which the characteristics of a person’s face are analyzed to determine the person’s

1 sentiment, state of mind, or other propensities, including the person's level of
2 dangerousness.

3 (2) "Facial recognition technology" means any computer software or
4 application that performs facial recognition.

5 (b) A business shall provide notice to a consumer that it uses facial
6 recognition technology in its physical location or through an electronic
7 interface.

8 (c) A business that fails to provide the notice required in this section
9 commits an unfair and deceptive act in commerce in violation of section 2453
10 of this title.

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on July 1, 2020.