

# HOUSE BILL NO. 4810

July 10, 2019, Introduced by Reps. Robinson, Gay-Dagnogo and Jones and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
(MCL 760.1 to 777.69) by adding section 21b to chapter XVI.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

CHAPTER XVI

1  
2       **Sec. 21b. (1) Until 5 years have expired after the effective**  
3 **date of the amendatory act that added this section to this chapter,**  
4 **a law enforcement official shall not obtain, access, or use any**  
5 **face recognition technology or any information obtained from the**  
6 **use of face recognition technology to enforce the laws of this**



1 state or a political subdivision of this state.

2 (2) The prohibition under subsection (1) includes, but is not  
3 limited to, the use of face recognition technology in connection  
4 with surveillance cameras, unmanned aircraft, body-worn cameras,  
5 streetlights, and traffic lights.

6 (3) Evidence obtained and arrest and search warrants issued  
7 because of a violation of this section are subject to the rules  
8 governing exclusion as if the evidence, arrest warrant, or search  
9 warrant was obtained in violation of Amendment IV of the  
10 Constitution of the United States and section 11 of article I of  
11 the state constitution of 1963.

12 (4) As used in this section:

13 (a) "Body-worn camera" means that term as defined in section 2  
14 of the law enforcement body-worn camera privacy act, 2017 PA 85,  
15 MCL 780.312.

16 (b) "Face recognition technology" means an automated or semi-  
17 automated process that assists in identifying or verifying an  
18 individual based upon that individual's face.

19 (c) "Law enforcement official" means any of the following:

20 (i) A police officer of this state or a political subdivision  
21 of this state as defined in section 2 of the Michigan commission on  
22 law enforcement standards act, 1965 PA 203, MCL 28.602.

23 (ii) A county sheriff or his or her deputy.

24 (iii) A prosecuting attorney.

25 (iv) A public safety officer of a college or university.

26 (v) A conservation officer of the department of natural  
27 resources.

28 (vi) An individual acting under the direction of a law  
29 enforcement official described in subparagraphs (i) to (v).



1           (d) "Unmanned aircraft" means that term as defined in section  
2 3 of the unmanned aircraft systems act, 2016 PA 436, MCL 259.303.

