

**AMENDMENTS TO COUNCIL BILL 21-0001
(1st Reader Copy)**

By: Councilmember Burnett
{To be offered to the Public Safety and Government Operations Committee}

Amendment No. 1

On page 2, strike lines 18 through 20 in their entireties and substitute:

““FACE SURVEILLANCE SYSTEM” DOES NOT INCLUDE:

(A) A BIOMETRIC SECURITY SYSTEM DESIGNED TO SPECIFICALLY TO PROTECT AGAINST UNAUTHORIZED ACCESS TO A PARTICULAR LOCATION OR AN ELECTRONIC DEVICE;
OR

(B) SURVEILLANCE TECHNOLOGY AS DEFINED IN ARTICLE 19, § 18-1(F) {“DEFINITIONS: SURVEILLANCE TECHNOLOGY”}.”;

and, on page 3, in line 20, strike “OR”; and, on that same page, in line 21, strike the period and substitute “; OR”; and, on that same page, after line 21, insert “(III) SURVEILLANCE TECHNOLOGY.”; and, on page 4, after line 5, insert:

“(F) SURVEILLANCE TECHNOLOGY.

(1) IN GENERAL.

“SURVEILLANCE TECHNOLOGY” MEANS ANY SOFTWARE, ELECTRONIC DEVICE, SYSTEM UTILIZING AN ELECTRONIC DEVICE, OR SIMILAR DEVICE USED, DESIGNED, OR PRIMARILY INTENDED TO COLLECT, RETAIN, PROCESS, OR SHARE AUDIO, ELECTRONIC, VISUAL, LOCATION, THERMAL, OLFACTORY, OR SIMILAR INFORMATION SPECIFICALLY ASSOCIATED WITH, OR CAPABLE OF BEING ASSOCIATED WITH, ANY INDIVIDUAL OR GROUP.

(2) INCLUSIONS.

“SURVEILLANCE TECHNOLOGY” INCLUDES THE FOLLOWING:

(I) INTERNATIONAL MOBILE SUBSCRIBER IDENTITY (IMSI) CATCHERS AND OTHER CELL SITE SIMULATORS;

- (II) AUTOMATIC LICENSE PLATE READERS;
- (III) CLOSED-CIRCUIT TELEVISION CAMERAS;
- (IV) GUNSHOT DETECTION HARDWARE AND SERVICES;
- (V) VIDEO AND AUDIO MONITORING OR RECORDING TECHNOLOGY, SUCH AS SURVEILLANCE CAMERAS, WIDE-ANGLE CAMERAS, AND WEARABLE BODY CAMERAS;
- (VI) MOBILE DNA CAPTURE TECHNOLOGY;
- (VII) SOFTWARE DESIGNED TO MONITOR SOCIAL MEDIA SERVICES;
- (VIII) X-RAY VANS;
- (IX) SOFTWARE DESIGNED TO FORECAST CRIMINAL ACTIVITY OR CRIMINALITY; RADIO-FREQUENCY I.D. (RFID) SCANNERS; AND
- (X) TOOLS, INCLUDING SOFTWARE AND HARDWARE, USED TO GAIN UNAUTHORIZED ACCESS TO A COMPUTER, COMPUTER SERVICE, OR COMPUTER NETWORK.

(3) EXCLUSIONS.

“SURVEILLANCE TECHNOLOGY” DOES NOT INCLUDE THE FOLLOWING DEVICES, HARDWARE, OR SOFTWARE:

- (I) OFFICE HARDWARE, SUCH AS TELEVISIONS, COMPUTERS, CREDIT CARD MACHINES, COPY MACHINES, TELEPHONES, AND PRINTERS, THAT ARE IN COMMON USE BY CITY AGENCIES AND USED FOR ROUTINE CITY BUSINESS AND TRANSACTIONS;
- (II) CITY DATABASES AND ENTERPRISE SYSTEMS THAT CONTAIN INFORMATION KEPT IN THE ORDINARY COURSE OF CITY BUSINESS, INCLUDING HUMAN RESOURCE, PERMIT, LICENSE, AND BUSINESS RECORDS AND DATA;
- (III) CITY DATABASES AND ENTERPRISE SYSTEMS THAT DO NOT CONTAIN ANY DATA OR OTHER INFORMATION COLLECTED, CAPTURED, RECORDED, RETAINED, PROCESSED, INTERCEPTED, OR ANALYZED BY SURVEILLANCE TECHNOLOGY, INCLUDING PAYROLL, ACCOUNTING, OR OTHER FISCAL DATABASES;

- (IV) INFORMATION TECHNOLOGY SECURITY SYSTEMS, INCLUDING FIREWALLS AND OTHER CYBERSECURITY SYSTEMS INTENDED TO SECURE CITY DATA;
- (V) PHYSICAL ACCESS CONTROL SYSTEMS, EMPLOYEE IDENTIFICATION MANAGEMENT SYSTEMS, AND OTHER PHYSICAL CONTROL SYSTEMS;
- (VI) INFRASTRUCTURE AND MECHANICAL CONTROL SYSTEMS, INCLUDING THOSE THAT CONTROL OR MANAGE STREET LIGHTS, TRAFFIC LIGHTS, ELECTRICAL, NATURAL GAS, OR WATER OR SEWER FUNCTIONS;
- (VII) MANUALLY-OPERATED TECHNOLOGICAL DEVICES USED PRIMARILY FOR INTERNAL CITY COMMUNICATIONS, WHICH ARE NOT DESIGNED TO SURREPTITIOUSLY COLLECT SURVEILLANCE DATA, SUCH AS RADIOS, PERSONAL COMMUNICATION DEVICES, AND EMAIL SYSTEMS;
- (VIII) MANUALLY-OPERATED AND NON-WEARABLE HANDHELD CAMERAS, AUDIO RECORDERS, AND VIDEO RECORDERS, THAT ARE NOT DESIGNED TO BE USED SURREPTITIOUSLY AND WHOSE FUNCTIONALITY IS LIMITED TO MANUALLY CAPTURING AND MANUALLY DOWNLOADING VIDEO OR AUDIO RECORDINGS;
- (IX) SURVEILLANCE DEVICES THAT CANNOT RECORD OR TRANSMIT AUDIO OR VIDEO OR BE REMOTELY ACCESSED, SUCH AS IMAGE STABILIZING BINOCULARS OR NIGHT VISION EQUIPMENT;
- (X) MEDICAL EQUIPMENT AND SYSTEMS USED TO RECORD, DIAGNOSE, TREAT, OR PREVENT DISEASE OR INJURY, AND USED AND KEPT IN THE ORDINARY COURSE OF PROVIDING CITY SERVICES;
- (XI) PARKING TICKET DEVICES;
- (XII) COMPUTER AIDED DISPATCH (CAD), RECORDS AND CASE MANAGEMENT, LIVE SCAN, BOOKING, 9-1-1 AND RELATED DISPATCH AND OPERATION OR EMERGENCY SERVICES SYSTEMS;
- (XIII) EARLY WARNING SYSTEMS; AND
- (XIV) COMPUTERS, SOFTWARE, HARDWARE, OR DEVICES INTENDED TO BE USED SOLELY TO MONITOR THE SAFETY AND SECURITY OF CITY FACILITIES AND CITY VEHICLES, NOT GENERALLY ACCESSIBLE TO THE PUBLIC.”

and, on that same page, strike lines 19 through 29 in their entirety; and, on page 5, strike lines 1 through 33 in their entirety; and, on page 6, strike lines 1 through 32 in their entirety; and, on that same page, in line 33, strike “(B)” and substitute “(A)”; and, on page 7, in line 1, strike “(C)” and substitute “(B)”.