

**AMENDMENTS TO COUNCIL BILL 21-0001  
(1<sup>st</sup> Reader Copy)**

By: Councilmember Burnett  
{To be offered on the Council floor}

**Amendment No. 1**

On page 3, after line 25, insert “(1) IN GENERAL.”; and, on that same page, in lines 27 and 28, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and, on page 4, in lines 1 and 3, strike “(3)” and “(4)”, respectively, and substitute “(III)” and “(IV)”, respectively; and, on that same page, after line 5, insert:

“(2) EXCLUSIONS.

“PERSON” DOES NOT INCLUDE:

(I) THE UNITED STATES GOVERNMENT OR ITS CONTRACTORS; OR

(II) THE STATE GOVERNMENT OR ITS CONTRACTORS.”.

**Amendment No. 2**

On page 2 of the Committee Amendments, strike beginning with “(3) EXCLUSIONS.” down through and including the final period on page 4 of the Committee Amendments and substitute with closing quotation mark followed by a semi-colon; and, on that same page, after that semi-colon, insert:

“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 substitute:

“(A) EXCLUSION FROM DEFINITION.

FOR THE PURPOSES OF THIS SECTION, “SURVEILLANCE TECHNOLOGY” DOES NOT INCLUDE THE FOLLOWING DEVICES, HARDWARE, OR SOFTWARE:

(1) 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;

- (2) 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;
- (3) 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;
- (4) INFORMATION TECHNOLOGY SECURITY SYSTEMS, INCLUDING FIREWALLS AND OTHER CYBERSECURITY SYSTEMS INTENDED TO SECURE CITY DATA;
- (5) PHYSICAL ACCESS CONTROL SYSTEMS, EMPLOYEE IDENTIFICATION MANAGEMENT SYSTEMS, AND OTHER PHYSICAL CONTROL SYSTEMS;
- (6) INFRASTRUCTURE AND MECHANICAL CONTROL SYSTEMS, INCLUDING THOSE THAT CONTROL OR MANAGE STREET LIGHTS, TRAFFIC LIGHTS, ELECTRICAL, NATURAL GAS, OR WATER OR SEWER FUNCTIONS;
- (7) 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;
- (8) 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;
- (9) SURVEILLANCE DEVICES THAT CANNOT RECORD OR TRANSMIT AUDIO OR VIDEO OR BE REMOTELY ACCESSED, SUCH AS IMAGE STABILIZING BINOCULARS OR NIGHT VISION EQUIPMENT;
- (10) 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;
- (11) PARKING TICKET DEVICES;

(12) COMPUTER AIDED DISPATCH (CAD), RECORDS AND CASE MANAGEMENT, LIVE SCAN, BOOKING, 9-1-1 AND RELATED DISPATCH AND OPERATION OR EMERGENCY SERVICES SYSTEMS;

(13) EARLY WARNING SYSTEMS; AND

(14) 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.”.