



Legislation Text

File #: 20-0606, Version: 0

**Explanation:** Capitals indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

\* **Warning:** This is an unofficial, introductory copy of the bill.  
The official copy considered by the City Council is the first reader copy.

**Introductory\***

**City of Baltimore  
Council Bill**

Introduced by: Councilmember Burnett

A Bill Entitled

An Ordinance concerning

**Banning Face Surveillance Technology in Baltimore**

For the purpose of prohibiting Baltimore City government from purchasing or obtaining certain face surveillance technology; prohibiting Baltimore City government from contracting or subcontracting with another for the purpose of face surveillance technology; prohibiting any person in Baltimore City from obtaining, retaining, accessing, or using certain face surveillance technology or any information obtained from certain face surveillance technology; providing for certain penalties; and defining certain terms.

By adding

Article 5 - Finance, Property, and Procurement  
Section(s) 41-4  
Baltimore City Code  
(Edition 2000)

By adding

Article 19 - Police Ordinances  
Section(s) 18-1 through 18-3, to be under the new subtitle,  
“Subtitle 18. Face Surveillance”  
Baltimore City Code  
(Edition 2000)

**Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:**

**Baltimore City Code**

**Article 5. Finance, Property, and Procurement**

**Subtitle 41. Prohibited Contracts**

**§ 41-4. Face surveillance technology.**

(a) *Definitions.*

(1) *In general.*

In this section, the following terms have the meanings specified.

(2) *Face surveillance.*

“Face surveillance” means an automated or semi-automated process that assists in identifying or verifying an individual based on the physical characteristics of the individual’s face.

(3) *Face surveillance system.*

(i) *In general.*

“Face surveillance system” means any computer software or application that performs face surveillance.

(ii) *Exclusion.*

“Face surveillance system” does not include a biometric security system designed specifically to protect against unauthorized access to a particular location or an electronic device.

(b) *Purchase prohibited.*

The City of Baltimore may not purchase or otherwise obtain a face surveillance system or face surveillance systems.

(c) *Contractor use prohibited.*

The City of Baltimore may not contract with another entity or individual, either directly or as a subcontract, for the use of face surveillance in the City.

## **Article 19. Police Ordinances**

### **Subtitle 18. Face Surveillance**

#### **§ 18-1. Definitions.**

(a) *In general.*

In this subtitle, the following terms have the meanings specified.

(b) *Face surveillance.*

“Face surveillance” means an automated or semi-automated process that assists in identifying or verifying an individual based on the physical characteristics of an individual’s face.

(c) *Face surveillance system.*

(1) *In general.*

“Face surveillance system” means any computer software or application that performs face surveillance.

(2) *Exclusion.*

“Face surveillance system” does not include a biometric security system designed specifically to protect against unauthorized access to a particular location or an electronic device.

(d) *Person.*

“Person” means:

- (1) an individual;
- (2) a partnership, firm, association, corporation, or other entity of any kind;
- (3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind; or
- (4) except as used in § 18-3 {“Penalties”} of this subtitle for the imposition of criminal penalties, a governmental entity or an instrumentality or unit of a governmental entity.

**§ 18-2. Use of face surveillance technology prohibited.**

A person may not obtain, retain, access, or use in Baltimore City:

- (1) any face surveillance system; or
- (2) any information obtained from a face surveillance system.

**§ 18-3. Penalties.**

(a) *In general.*

Any person who violates any provision of this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 or imprisonment for not more than 12 months or both fine and imprisonment.

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

**Section 2. And be it further ordained,** That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

**Section 3. And be it further ordained,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.