1 **HOUSE BILL NO. 2031**
2 Offered January 13, 2021
3 Prefiled January 12, 2021
4 *A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 17 of Title 15.2 a section*
5 *numbered 15.2-1723.2 and by adding a section numbered 23.1-815.1, relating to facial recognition*
6 *technology; authorization of use by local law-enforcement agencies and public institutions of higher*
7 *education.*
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Patrons—Aird, Jones, Ayala, Bourne, Convirs-Fowler, Guzman, Hudson, Keam, Krizek, Murphy, Plum, Price, Samirah, Scott and Tran

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10 Referred to Committee on Communications, Technology and Innovation
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12 **Be it enacted by the General Assembly of Virginia:**
13 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 17 of Title 15.2 a**
14 **section numbered 15.2-1723.2 and by adding a section numbered 23.1-815.1 as follows:**
15 *§ 15.2-1723.2. Facial recognition technology; local approval.*
16 *A. For purposes of this section, "facial recognition technology" means an electronic system for*
17 *enrolling, capturing, extracting, comparing, and matching an individual's geometric facial data to*
18 *identify individuals in photos, videos, or real time.*
19 *B. No local law-enforcement agency shall purchase or deploy facial recognition technology unless*
20 *the locality in which the law-enforcement agency is located has adopted an ordinance authorizing the*
21 *use of facial recognition technology by local law-enforcement agencies.*
22 *§ 23.1-815.1. Facial recognition technology; approval of governing body.*
23 *No campus police department shall purchase or deploy facial recognition technology unless the*
24 *governing board of the public institution of higher education authorizes the use of facial recognition*
25 *technology. For purposes of this subsection, "facial recognition technology" means an electronic system*
26 *for enrolling, capturing, extracting, comparing, and matching an individual's geometric facial data to*
27 *identify individuals in photos, videos, or real time.*
28 **2. That local law-enforcement agencies and campus police departments at public institutions of**
29 **higher education using facial recognition technology prior to July 1, 2021, are prohibited from**
30 **using such technology on or after July 1, 2021, unless and until such use is authorized by the**
31 **locality by ordinance or by the governing board of the public institution of higher education**
32 **pursuant to the provisions of this act.**