

HB1065/542819/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1065
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute:

“Task Force to Study Law Enforcement Surveillance Technologies”;

strike beginning with “requiring” in line 4 down through “Rights” in line 15 and substitute “establishing the Task Force to Study Law Enforcement Surveillance Technologies; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Law Enforcement Surveillance Technologies”; and strike in their entirety lines 16 through 26, inclusive.

AMENDMENT NO. 2

On page 1, in line 28, strike “the Laws of Maryland read as follows”.

On pages 2 through 5, strike in their entirety the lines beginning with line 1 on page 2 through line 31 on page 5, inclusive, and substitute:

“(a) There is a Task Force to Study Law Enforcement Surveillance Technologies.

(b) The Task Force consists of the following members:

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(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Executive Director of the American Civil Liberties Union of Maryland, or the Executive Director's designee;

(4) the Executive Director of the Electronic Privacy Information Center, or the Executive Director's designee;

(5) one representative of local government, appointed by the Executive Director of the Maryland Association of Counties;

(6) the Coordinator of the Maryland State's Attorneys' Association, or the Coordinator's designee;

(7) the Attorney General, or the Attorney General's designee;

(8) the Public Defender, or the Public Defender's designee;

(9) the Secretary of State Police, or the Secretary's designee; and

(10) the Executive Director of the Governor's Office of Crime Control and Prevention, or the Executive Director's designee.

(c) The Task Force shall elect a chair of the Task Force from among its members.

(d) State agencies represented on the Task Force shall provide staff for the Task Force.

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(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study current and planned uses of surveillance technology by law enforcement agencies in the State, including:

(i) mass-surveillance devices and techniques;

(ii) social media monitoring software;

(iii) facial recognition technology;

(iv) cell-site simulator technology, including devices commonly referred to as “Stingray” devices and “DRT box” (or “Dirt box”) devices;

(v) automatic license plate readers and similar devices used for optical character recognition in public spaces;

(vi) aerial surveillance; and

(vii) real-time location tracking systems;

(2) evaluate the need for transparent civilian oversight of the uses of surveillance technologies by law enforcement agencies in the State; and

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(3) make recommendations to the General Assembly based on the Task Force's findings.

(g) On or before December 5, 2017, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly."

AMENDMENT NO. 3

On page 6, strike in their entirety lines 1 and 2 and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."