

ALASKA STATE LEGISLATURE

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Administrative Regulation Review

SENATOR BILL WIELECHOWSKI

SB 98: Biometrics ***SPONSOR STATEMENT***

“Civilization is the progress toward a society of privacy.” – Ayn Rand

Article 1, Section 22 of Alaska’s State Constitution explicitly states that “the right of the people to privacy is recognized and shall not be infringed.” This constitutional right underscores Alaskans’ abiding desire for privacy. Much like genetic information, biometric information holds great promise for fields such as medicine, law enforcement and security. This bill is meant to ensure that Alaskan’s constitutional right to privacy is protected, by giving Alaskans a choice in whether or not they want to share their biometric data, and adopting common sense measures of accountability.

In 2004, the Alaska Legislature unanimously passed legislation outlawing the collection, analysis or storage of a law-abiding citizen’s genetic information without their express written consent. This legislation was drafted in response to rapidly evolving technology that has the potential to discriminate against citizens based on personal genetic information that would otherwise be private. SB 98 applies the same privacy protections to biometric information, as it is just as permanent and irreplaceable as genetic information.

The term “biometric information” refers to any information about an individual based on their unique behavioral or physiological characteristics. The most commonly known form of biometric information is a person’s fingerprints, but also includes hand geometry recognition, voice and facial recognition, iris and retinal scans, and vein recognition.

Data merchants today can exploit Alaskans’ private biometric information for financial gain. Under the status quo, certain academic and professional testing agencies require Alaskans to submit their biometric data to multinational corporations. Certain genetic disorders and medical conditions can be strongly correlated from biometric information. Because it so easy for data to be sold or stolen in today’s digital world, Alaska needs to be sure to have strong legal measures in place to protect Alaskans.

Senate Bill 98 will protect Alaskans’ biometric information. This legislation is all about giving Alaskans a choice to decide whether or not they want to submit their biometric information to a private company, and what happens to the sensitive information after it has been collected. The bill has strong bipartisan support, passed the Senate unanimously, and will ensure the privacy of all Alaskans is protected.