



# Monroe County Legislature

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### MEDIA RELEASE

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#### Monroe County Legislature Passes Legislation to Protect Residents' Biometric Information

**Rochester, NY – September 8, 2026** – Monroe County Legislators passed legislation designed to give residents greater transparency and protection as businesses increasingly use biometric identification technology, including facial recognition, in retail and other commercial settings.

The local law, “Requiring Disclosure of Biometric Technology and Protection of Biometric Identification Data at Commercial Establishments,” will require commercial establishments who collect, retain, store, convert, or share customers’ biometric identifier information to clearly notify customers at their entrances.

“When your password gets hacked, you can change your password. You can't change your face,” says **Rachel Barnhart, Legislator District 17**. “This local law will protect consumers' biometric data and give people the power to choose not to shop at stores that collect it.”

The legislation defines biometric identifier information to include physiological or biological characteristics used to identify or assist in identifying an individual, including retina or iris scans, fingerprints, voiceprints, and scans of hand or face geometry.

Under the law:

- Businesses are required to provide clear notice near customer entrances when biometric information is being collected, retained, converted, stored, or shared;
- The sale lease, trade, or exchange of biometric identifier information for anything of value is prohibited;
- Stored biometric information is required to be anonymized so that, by itself, it could not reasonably be used to identify a specific individual;
- Biometric identifier data would generally have to be destroyed within two years of collection, unless otherwise required by law;
- Residents who are aggrieved by a violation would have a private right of action, subject to a 30-day notice and opportunity for the business to cure most violations.

The Legislation does not prohibit businesses from using biometric technology. Instead, it establishes standards intended to ensure customers know when the technology is being used and their biometric information receives appropriate protections. Biometric technology does have legitimate uses, including fraud protection and asset protection, but we must safeguard the public.

“I’m proud this legislation, being supported in a bi-partisan manner, informs Monroe County residents and visitors when businesses are collecting facial recognition data and other forms of biometric data collection,” said **Ricky Frazier, Legislator District 28**. “We must have guardrails when it comes to advancing technology. Passwords are reset, but facial recognition can never be. My sincere gratitude to Legislators Rachel Barnhart, Dr. Nazish Jeffery, John Baynes, and Linda Hasman in this groundbreaking legislation for Monroe County.”

“People should not have to wonder what information is being collected about them, how it is being used, or who ultimately has access to it,” says **Dr. Nazish Jeffery, Legislator District 12**. “This law puts basic protections in place: if commercial establishments are using bioinformatics, consumers deserve to know, their information must remain anonymous, and it cannot become a commodity sold to the highest bidder. We can support innovation while still standing up for the privacy of the people we represent.”

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