

Economic Impact Statement

Montgomery County, Maryland

Bill 4-25 Administration - Surveillance Technology - Acquisition and Use by the County

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that Bill 4-25 would have an insignificant impact on economic conditions in the County in terms of the Council's priority indicators.

BACKGROUND AND PURPOSE OF BILL 4-25

Surveillance technologies are becoming increasingly common in local government, especially within police departments. For instance, one recent survey found that almost two-thirds of large police agencies across the U.S. use automatic license plate readers¹ — "high-speed, computer-controlled camera systems...that automatically capture all license plate numbers that come into view."² Examples of other surveillance technologies include video surveillance, face recognition, and social media monitoring.³ Advocates and scholars have claimed that unchecked use of surveillance technologies by local governments can pose a considerable threat to civil rights and civil liberties.^{4,5}

The purpose of Bill 4-25 is to establish a transparent process for the County to acquire and use surveillance technologies. If enacted, Bill 4-25 would require County agencies that want to acquire and use a new surveillance technology to:^{6,7}

- **Publish a surveillance technology impact report.** For the desired surveillance technology, the report would describe how it works, its proposed uses, and where it would be deployed, among other things. The report would also assess the potential adverse impacts of the new technology on civil rights and civil liberties and the safeguards that would be implemented to protect against those impacts. The agency would be required to publish and submit the report to the County Executive and County Council at least 30 days before proposing regulations for the technology.
- **Propose Method (1) regulations for the use of surveillance technology.** For the desired surveillance technology, the proposed regulations must address its purpose, authorized and prohibited uses, and measures to minimize unauthorized collection and access to surveillance data, among other things. The agency must also submit a report from the Office of Racial Equity and Social Justice that describes the

¹ Christopher Slobogin and Sarah Brayne, "[Surveillance Technologies and Constitutional Law](#)," Annual Review of Criminology, September 2022 citing Mariana Oliver and Matthew B. Kugler, "[Surveying Surveillance: A National Study of Police Department Surveillance Technologies](#)," Arizona State Law Journal, 2022.

² [Automated License Plate Readers](#), Street Level Surveillance, Electronic Frontier Foundation.

³ [Street Level Surveillance](#), Electronic Frontier Foundation.

⁴ [Community Oversight of Surveillance - D.C.](#), American Civil Liberties Union of DC.

⁵ Christopher Slobogin, *Privacy at Risk: The New Government Surveillance and the Fourth Amendment* (University of Chicago Press, 2008).

⁶ [Introduction Staff Report for Bill 4-25](#), Montgomery County Council, Introduced February 11, 2025.

⁷ Introduction Staff Report for Bill 4-25.

anticipated impact of the proposed regulations on RESJ. The County Executive would be required to hold a public hearing on the proposed regulations at least 60 days after they are published. Method (1) regulations must be approved by the Council before they are adopted.⁸

- **Submit an annual report for approved surveillance technologies.** The annual report would describe each type of surveillance technology, how they were used, and complaints and concerns on their use, among other things. The Council would be required to hold a public hearing on each annual report.

Bill 4-25 also includes guidelines on contracting requirements, contractor privacy policies, and prohibited discriminatory uses of surveillance technologies. It also includes guidelines on the use of facial recognition technology for criminal investigations.⁹

If Bill 4-25 is enacted, the County Executive would be required to publish an inventory of surveillance technologies that were acquired and used before the Bill's effective date. Agencies must submit Method (1) regulations for any technologies acquired between January 1, 2020, and before the Bill's effective date. Agencies would have to stop using surveillance technologies if their regulations are not submitted or if the Council disapproves their regulations.¹⁰

The Council introduced Bill 4-25, Administration – Surveillance Technology – Acquisition and Use by the County, on February 11, 2025.

INFORMATION SOURCES, METHODOLOGIES, AND ASSUMPTIONS

As required by 2-81B of the Montgomery County Code, this Economic Impact Statement evaluates the impacts of Bill 4-25 on residents and private organizations in relation to Council's priority economic indicators. In doing so, it examines whether the Bill would have a net positive or negative impact on overall economic conditions in the County.¹¹ OLO sees no direct connection between the reporting and regulatory requirements outlined in the Bill and the economic indicators prioritized by the Council and, therefore, concludes that the Bill would have insignificant impacts on private organizations, residents, and overall economic conditions in the County.

VARIABLES

Not applicable

IMPACTS

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Not applicable

⁸ [Montgomery County Code § 2A-15](#)

⁹ Ibid.

¹⁰ Introduction Staff Report for Bill 4-25.

¹¹ "[Sec. 2-81B, Economic Impact Statements](#)," Montgomery County Code.

DISCUSSION ITEMS

Not applicable

CAVEATS

Two caveats to the economic analysis performed here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

CONTRIBUTIONS

Stephen Roblin (OLO) prepared this report.