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Meta Settles Texas Biometric Data Lawsuit for Record \$1.4 Billion

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On July 30, 2024, Texas AG Ken Paxton <u>announced</u> that Meta agreed to pay \$1.4 billion to settle a <u>lawsuit</u> over allegations that Meta processed facial geometry data of Texas residents in violation of Texas law, including the Texas Capture or Use of Biometric Identifier Act ("CUBI").

This is the first lawsuit brought and first settlement obtained under CUBI, which was passed in 2009. Filed in 2022, the lawsuit alleged that Meta violated Texas law by, among other things, collecting and analyzing individuals' facial geometric data (which constitutes biometric data under CUBI) in connection with the "tag suggestions" <u>feature</u>, without obtaining the required consent prior to the processing.

According to the office of the Texas AG's <u>press release</u>, the <u>settlement</u> with Meta is the largest privacy settlement an Attorney General has ever obtained, signaling the Texas AG's increased enforcement activity in the privacy space.

In 2020, Meta separately agreed to a \$650 million settlement of a class action brought under Illinois' biometric privacy law.

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