

2026 Regular Session

HOUSE BILL NO. 410

BY REPRESENTATIVE SCHLEGEL

CIVIL/PROCEDURE: Requires consent of all parties to record in-person communication

1 AN ACT

2 To enact Chapter 7 of Code Title IV of Book III of Title 9 of the Louisiana Revised Statutes  
3 of 1950, to be comprised of R.S. 9:2790.1 through 2790.4, relative to in-person  
4 communication; to provide for legislative intent; to provide for definitions; to require  
5 individuals to be informed they are being recorded; to provide for penalties; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 7 of Code Title IV of Book III of Title 9 of the Louisiana Revised  
9 Statutes of 1950, comprised of R.S. 9:2790.1 through 2790.4, is hereby enacted to read as  
10 follows:

11 CHAPTER 7. ~~UNIFORM FRAUDULENT TRANSFER ACT~~

12 ALL PARTY NOTIFICATION FOR IN-PERSON CONVERSATION

13 §2790.1. Legislative findings; declaration of purpose

14 A. The legislature finds that advances in consumer recording technology,  
15 artificial intelligence, wearable devices, and automated transcription tools enable  
16 interpersonal communications to be permanently preserved in digital form.

17 B. The legislature recognizes that modern technologies enable the creation  
18 of permanent digital memory far beyond ordinary human recollection and the  
19 legislature declares that individuals retain a reasonable expectation of privacy against  
20 the undisclosed technological preservation of direct conversations.

1           C. The legislature further finds that individuals reasonably distinguish  
2           between being overheard and being permanently preserved in a retrievable  
3           technological format, and that the undisclosed preservation and dissemination of  
4           direct conversations undermines trust, autonomy, dignity, privacy, and fairness in  
5           human interactions.

6           D. Recent incidents have highlighted the misuse of wearable recording  
7           devices such as smart glasses for covertly filming individuals without their consent.  
8           These recordings are often disseminated on social media platforms, leading to  
9           harassment and violations of personal privacy.

10           E. The purpose of this Chapter is to protect individuals from the non-  
11           consensual technological preservation and harmful dissemination of direct  
12           conversations while preserving the lawful recording of public events, legitimate law  
13           enforcement activity, public officials, and recordings made to document criminal,  
14           tortious, or threatening conduct.

15           F. This Chapter shall not be interpreted to restrict lawful recording protected  
16           by the Constitution of the United States of America or the Constitution of Louisiana.

17           §2790.2. Definitions

18           For purposes of this Chapter, the following definitions apply:

19           (1) "Direct conversation" means any in-person oral communication directed  
20           to a specific individual or individuals under circumstances in which a reasonable  
21           person would not expect the communication to be recorded or transcribed.

22           (2) "Law enforcement activity" means recordings or transcriptions made by  
23           a peace officer or other person acting under color of law in the lawful performance  
24           of official duties.

25           (3) "Public or semi-public meetings" mean governmental hearings, press  
26           conferences, public speeches, rallies, sporting events, or other similar circumstances.

1        §2790.3. Notification of recording direct conversation

2            A. No individual shall use a device to record or transcribe a direct  
3        conversation with another party unless all parties are specifically informed that the  
4        conversation is being recorded.

5            B. The provisions of this Section do not apply to any of the following:

6            (1) Public or semi-public meetings.

7            (2) Law enforcement activity.

8            (3) Emergencies or other situations that could capture evidence of a crime.

9            (4) Public officials performing official duties in public places where there  
10        is no reasonable expectation of privacy.

11           (5)(a) A person who records a law enforcement officer in the performance  
12        of his official duties while the officer is in a public place or a place where the private  
13        person has a legal right to be.

14           (b) The exception provided in this Paragraph does not extend to an  
15        individual who physically interferes or materially obstructs lawful law enforcement  
16        activity.

17           C. Nothing in this Section shall be construed to limit, modify, expand, or  
18        supersede the provisions of the Electronic Surveillance Act (R.S. 15:1301 through  
19        1318).

20        §2790.4. Penalties

21           Any person who is found to have violated the provisions of this Chapter shall  
22        be liable to an individual for any damages including court costs and reasonable  
23        attorney fees as ordered by the court.

---

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 410 Original

2026 Regular Session

Schlegel

**Abstract:** Requires disclosure to all parties that a direct, in-person conversation is being recorded under circumstances in which a person has a reasonable expectation of privacy.

Proposed law outlines legislative intent and defines "direct conversation", "law enforcement activity", and "public or semi-public meetings".

Proposed law prohibits a person from using a device to record or transcribe a direct conversation with another party unless all parties are specifically informed that the conversation is being recorded.

Proposed law does not apply to the following:

- (1) Public or semi-public meetings.
- (2) Law enforcement activity.
- (3) Emergencies or other situations that could capture evidence of a crime.
- (4) Public officials performing official duties in public places where there is no reasonable expectation of privacy.
- (5) A person who records a law enforcement officer in the performance of his official duties while the officer is in a public place or place where the private person has a legal right to be. This exception does not extend to an individual who physically interferes or materially obstructs lawful law enforcement activity.

Proposed law shall not be construed to limit, modify, expand, or supersede the provisions of the Electronic Surveillance Act as provided for in present law (R.S. 15:1301 through 1318).

Proposed law requires the payment of court costs and reasonable attorney fees of a person who violates proposed law.

(Adds R.S. 9:2790.1-2790.4)