
DIGEST

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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)