

2026 Regular Session

HOUSE BILL NO. 1054

BY REPRESENTATIVE VILLIO

EVIDENCE: Provides relative to self-authentication of certain evidence

1 AN ACT

2 To enact Code of Evidence Article 902.1, relative to evidence; to provide for self-
3 authentication of certain evidence; to provide relative to certain footage; to provide
4 for time periods; to provide for applicable proceedings; to provide for notice; to
5 provide for certificates; to authorize the filing of a demand for certain testimony; to
6 provide for service; to provide relative to the extension of time periods; to provide
7 for duties of the court; to provide relative to the admissibility of certain evidence; to
8 provide for definitions; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Code of Evidence Article 902.1 is hereby enacted to read as follows:

11 Art. 902.1. Self-authentication; unmanned aircraft system footage

12 A.(1) Except as provided in Paragraph H of this Article, a party seeking to
13 introduce at trial any footage that is taken by an unmanned aircraft system operated
14 on behalf of a law enforcement agency may, not less than forty-five days prior to the
15 commencement of trial, provide written notice of intent to offer proof of
16 authentication by certificate.

17 (2) The provisions of this Article apply to the following proceedings:

18 (a) All criminal cases.

19 (b) All cases in juvenile courts.

20 (c) All family court proceedings involving criminal manners.

1 (d) All civil forfeiture proceedings arising from criminal activity.

2 (3) Notice provided pursuant to this Paragraph shall include a copy of the
3 certificate. The certificate, at a minimum, shall contain all of the following:

4 (a) The name and law enforcement agency of the person operating the
5 unmanned aircraft system or the custodian of the recording or other qualified law
6 enforcement employee with knowledge of the recording system.

7 (b) A law enforcement agency reference number or brief description of the
8 footage.

9 (c) The date and time when the footage was recorded.

10 (d) A statement that the footage is a true and accurate copy of the recording
11 produced by the unmanned aircraft system.

12 (e) A statement that the recording was collected and preserved in the course
13 of law enforcement activities.

14 B.(1) The certificate shall be signed and dated by the declarant. Law
15 enforcement agencies may utilize electronic signatures to comply with the provisions
16 of this Article.

17 (2) If more than one person participated in the operation of the unmanned
18 aircraft system, the certificate may identify the primary operator responsible for the
19 recording.

20 C. The attorney for the defendant or the defendant acting in his own defense,
21 if not represented by counsel, may demand the testimony of the person who operated
22 the unmanned aircraft system by filing a written demand and serving it upon the
23 attorney general, the district attorney, or the attorney who represents the law
24 enforcement agency. If a demand is timely made in accordance with this Article, the
25 footage shall not be considered self-authenticating pursuant to this Article.

26 D. Except as provided in Paragraph H of this Article, the attorney for the
27 defendant or the defendant acting in his own defense, if not represented by counsel,
28 shall file and serve a demand for the testimony of the person who operated the
29 unmanned aircraft system within thirty days of the receipt of the notice provided

1 pursuant to Paragraph A of this Article. The court may extend the period for good
2 cause shown if such request is made prior to the expiration of the period.

3 E. If no request for additional time is made prior to the expiration of the
4 period, an extension of time to make such a demand may be made only upon a
5 showing of exceptional circumstances. Any allegation that exceptional circumstances
6 exist shall constitute a preliminary plea on the defendant's behalf for the purposes of
7 Code of Criminal Procedure Article 580. The demand shall be made in writing and
8 notice shall be served on the attorney general prosecuting the matter, the district
9 attorney, or the attorney who represents the law enforcement agency. The court shall
10 conduct a contradictory hearing to determine if an extension is warranted.

11 F. If notice is timely filed in accordance with Paragraph A of this Article and
12 if the defendant does not timely file a demand in accordance with Paragraph D of
13 this Article, the footage from the unmanned aircraft system shall be admissible at
14 trial without the necessity of testimony from the operating person and such footage
15 shall be deemed self-authenticating.

16 G. The defendant's filing of a demand does not prevent the admission of the
17 footage in any other manner otherwise appropriate pursuant to this Code or any
18 ancillaries of this Code.

19 H.(1) A party seeking to offer proof of authentication by certificate in
20 accordance with this Article in a noncriminal case in juvenile court shall, not less
21 than five days prior to the commencement of the trial, provide written notice of
22 intent to offer proof of authentication by certificate. Notice provided pursuant to
23 this Paragraph shall include a copy of the certificate.

24 (2) Any demand for testimony made pursuant to Paragraph D of this Article
25 shall be made within three days of receipt of the notice provided pursuant to
26 Subparagraph (1) of this Paragraph.

27 I. For the purposes of this Article, the following terms have the following
28 meanings:

1 (1) "Electronic signature" means an electronic sound, symbol, or process
2 attached to or logically associated with a record and executed or adopted by a person
3 with the intent to sign the record.

4 (2) "Footage" means video recordings, still images extracted from video
5 recordings, or any associated metadata generated by the unmanned aircraft system.

6 (3) "Law enforcement agency" means the sheriff of any parish, constable,
7 or police force as defined by law, and the Department of Public Safety and
8 Corrections.

9 (4) "Unmanned aircraft system" means an unmanned, powered aircraft that
10 does not carry a human operator, can be autonomous or remotely piloted or operated,
11 and can be expendable or recoverable.

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 1054 Original

2026 Regular Session

Villio

Abstract: Provides relative to the self-authentication of certain unmanned aircraft system footage.

Proposed law permits a party at trial to introduce footage taken by an unmanned aircraft system operated on behalf of a law enforcement agency if the party provides written notice of intent to offer proof of authentication by certificate not less than 45 days prior to the commencement of trial.

Proposed law applies in all criminal cases, cases in juvenile courts, family court proceedings involving criminal manners, and civil forfeiture proceedings arising from criminal activity.

Proposed law requires that notice provided pursuant to proposed law includes a copy of the certificate and provides for the minimum contents to be contained in the certificate.

Proposed law requires the certificate to be signed and dated by the declarant and permits law enforcement agencies to utilize electronic signatures to comply with proposed law.

Proposed law provides that the certificate may identify the primary operator responsible for the recording if more than one person participated in the operation of the unmanned aircraft system.

Proposed law permits the defendant's attorney or the defendant acting in his own defense to demand that the person who operated the unmanned aircraft system provide testimony by filing a written demand. Further provides for service of this demand on certain individuals.

Proposed law provides that footage is not considered self-authenticating under proposed law if a demand is made timely.

Proposed law requires that the demand for the testimony of the person who operated the unmanned aircraft system be filed and served on the person who operated the unmanned aircraft system within 30 days of the receipt of the notice. Further permits the court to extend the period for good cause shown if such request is made prior to the expiration of the period.

Proposed law permits an extension of time to make a demand if exceptional circumstances exist and provides that any allegation of exceptional circumstances constitutes a preliminary plea on the defendant's behalf for the purposes of present law (C.Cr.P. Art. 580).

Proposed law provides for the form of the demand, the individuals to be served, and requires a contradictory hearing to determine if an extension is warranted.

Proposed law provides that the footage from the unmanned aircraft system is admissible at trial without the necessity of testimony from the operating person and is self-authenticating if notice is timely filed and if the defendant does not timely file a demand.

Proposed law provides that the filing of a demand does not prevent the admission of the footage in any other manner otherwise appropriate pursuant to present law or its ancillaries.

Proposed law requires a party seeking to offer proof of authentication by certificate in accordance with proposed law in a noncriminal case in juvenile court to provide written notice of intent to offer proof of authentication by certificate not less than five days prior to the commencement of trial. Further requires the notice to include a copy of the certificate.

Proposed law requires that a demand made pursuant to proposed law for a noncriminal case in juvenile court be made within three days of receipt of the notice.

Proposed law defines "electronic signature", "footage", "law enforcement agency", and "unmanned aircraft system".

(Adds C.E. Art. 902.1)