

2026 Regular Session

SENATE BILL NO. 106

BY SENATOR KLEINPETER

PUBLIC RECORDS. Provides that certain photographs, audio or video recordings, digital images regarding a crime scene or used in a criminal prosecution are not public records available for release or to be copied except by court order. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(30) and to enact R.S. 44:3(A)(9) and 4(65), relative
3 to public records; to provide relative to the confidentiality of crime scene
4 photographs, audio or video recordings, digital images, which may be used as
5 evidence in a criminal proceeding; to provide for limited access under specified
6 circumstances; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 44:4.1(B)(30) is hereby amended and reenacted and R.S. 44:3(A)(9) and
9 4(65) are hereby enacted to read as follows:

10 §3. Records of prosecutive, investigative, and law enforcement agencies and
11 communications districts

12 A. Nothing in this Chapter shall be construed to require disclosures of
13 records, or the information contained therein, held by the offices of the attorney
14 general, district attorneys, sheriffs, police departments, Department of Public Safety
15 and Corrections, Department of Wildlife and Fisheries, marshals, investigators,
16 public health investigators, correctional agencies, communications districts,
17 intelligence agencies, Council on Peace Officer Standards and Training, Louisiana

1 Commission on Law Enforcement and Administration of Criminal Justice, or
2 publicly owned water districts of the state, which records are:

3 * * *

4 **(9) Copies of any audio recording, image, video, or photograph in the**
5 **custody of a clerk of court after it is introduced into evidence of a criminal**
6 **prosecution and which is determined by the clerk to depict: an autopsy, dead**
7 **body, sexual assault, gruesome injury, obscene act, a juvenile victim, or any**
8 **patently offensive ultimate sexual act, unless such image, video, or photograph**
9 **is voluntarily released, otherwise available to the general public, or released by**
10 **court order.**

11 * * *

12 §4. Applicability

13 This Chapter shall not apply:

14 * * *

15 **(65) To a copy of any audio recording, image, video, or photograph in the**
16 **custody of a clerk of court after it is introduced into evidence of a criminal**
17 **prosecution and which is determined by the clerk to depict: an autopsy, dead**
18 **body, sexual assault, gruesome injury, obscene act, a juvenile victim, or any**
19 **patently offensive ultimate sexual act, unless such image, video, or photograph**
20 **is voluntarily released, otherwise available to the general public, or released by**
21 **court order.**

22 * * *

23 §4.1. Exceptions

24 * * *

25 B. The legislature further recognizes that there exist exceptions, exemptions,
26 and limitations to the laws pertaining to public records throughout the revised
27 statutes and codes of this state. Therefore, the following exceptions, exemptions, and
28 limitations are hereby continued in effect by incorporation into this Chapter by
29 citation:

