The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

DIGEST

SB 398 Original 2016 Regular Session Johns

Present law excludes disclosure of certain records, of the offices of the attorney general, district attorneys, sheriffs, police departments, Department of Public Safety and Corrections, marshals, investigators, public health investigators, correctional agencies, communications districts, intelligence agencies, or publicly owned water districts of the state.

Proposed law retains present law and adds that video or audio recordings generated by law enforcement officer body worn cameras that are not the subject of a pending criminal proceeding are exempt from Public Records Law.

Proposed law defines body worn camera as a camera worn on an individual law enforcement officer's person that records and stores audio and video.

Proposed law provides that body worn camera recordings may be subject to disclosure only with a valid order signed by a court, issued pursuant to a contradictory hearing in which the agency or office from which the recordings are sought has received notice and an opportunity to respond.

Proposed law provides that the costs of production associated with such court-ordered disclosures shall be paid by the requesting party prior to disclosure.

Effective August 1, 2016.

(Adds R.S. 44:3(A)(8))