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## DIGEST

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HB 457 Original

2020 Regular Session

Marino

**Abstract:** Requires the recording of grand jury proceedings except when the grand jury is deliberating or voting; and, unless otherwise ordered by the court, requires the attorney representing the state to retain control of the recording.

Present law provides that only certain persons may be present at the sessions of a grand jury including a person sworn to record the proceedings of and the testimony given before the grand jury.

Present law further provides that no person, other than a grand juror, shall be present while the grand jury is deliberating and voting.

Proposed law retains present law and requires all proceedings of the grand jury to be recorded except while the grand jury is deliberating or voting. Proposed law further provides that the validity of the prosecution shall not be affected by the unintentional failure to make a recording of the proceedings.

Proposed law provides that if a transcript of the recording is requested to be produced by any party, the requesting party shall pay the cost of having the recording transcribed.

Proposed law provides that, unless the court orders otherwise, the attorney representing the state shall retain control of the recording, the court reporter's notes, and any transcript prepared from the court reporter's notes.

(Amends C.Cr.P. Art. 433(A) and (C); Adds C.Cr.P. Art. 433(D))