

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 19.1, relative to
3 public records; to provide relative to the confidentiality of crime scene photographs,
4 audio or video recordings, digital images, which may be used as evidence in a
5 criminal proceeding; to provide for limited access under specified circumstances;
6 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 19.1
9 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) Crime scene photographs, video recordings including recordings**
5 **from law enforcement officer body-worn cameras, audio recordings, digital**
6 **images, and other visual or audio media that depict or document evidence which**
7 **may be used in a criminal proceeding, or which depict or document the scene**
8 **of a crime, or which show the body of or location of an injured or deceased**
9 **person which may be used as evidence in a criminal proceeding, whether**
10 **created, obtained, or maintained by a law enforcement agency, district**
11 **attorney's office or other prosecutorial agency, defense attorney, coroner, or**
12 **any other public body. These records shall not be a public record but are**
13 **confidential and shall not be subject to disclosure or release to the public under**
14 **this Chapter except as ordered by a court.**

15 * * *

16 §4.1. Exceptions

17 * * *

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

23 * * *

24 (30) R.S. 44:~~3~~,19, **19.1**, 408, 425

25 * * *

26 **§19.1. Crime scene photographs, audio or video recordings, and other digital or**
27 **media images**

28 **No crime scene photograph, audio recording, video recording, including**
29 **a recording or image from a law enforcement officer body-worn camera, digital**

1 image, and other visual or audio media that depict or document evidence which
 2 may be used in a criminal proceeding, or which depict or document the scene
 3 of a crime, or which show the body of or location of an injured or deceased
 4 person which is or may be used as evidence in a criminal proceeding, whether
 5 created, obtained, or maintained by a law enforcement agency, district
 6 attorney's office or other prosecutorial agency, defense attorney, coroner, or
 7 any other public body shall be construed to be a public record and shall not be
 8 subject to disclosure or release to the public under any provision of this Chapter
 9 unless specifically ordered by a court.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

	DIGEST	
SB 106 Original	2026 Regular Session	Kleinpeter

Present law provides exceptions to public records for law enforcement agencies.

Proposed law creates a new exception to public records for crime scene photographs and other evidence used in a criminal proceeding.

Present law provides a list of exceptions to public records.

Proposed law provides additional exception to the existing list.

Present law provides exceptions to public records for a coroner.

Proposed law creates a new public records exception for crime scene photographs and other evidence used in a criminal proceeding.

Effective August 1, 2026.

(Amends R.S. 44:4.1(B)(30); adds R.S. 44:3(A)(9) and 19.1)