

1 SB186
2 116142-1
3 By Senator Mitchem
4 RFD: Judiciary
5 First Read: 12-JAN-10

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8 SYNOPSIS: This bill would provide that the audio
9 recording of a 911 telephone call would not be
10 released except by court order under certain
11 conditions. The bill would provide that a written
12 or electronic record regarding a 911 telephone call
13 kept by an emergency communications district would
14 be a public writing.

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16 A BILL
17 TO BE ENTITLED
18 AN ACT

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20 Relating to 911 telephone calls; to provide that the
21 audio recording of a 911 telephone call may not be released
22 except by court order under certain conditions; and to provide
23 that a written or electronic record regarding a 911 telephone
24 call kept by an emergency communications district would be a
25 public writing.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. (a) After the effective date of this act,
2 an emergency communications district may not release the audio
3 recording of a 911 telephone call except pursuant to a court
4 order finding that the right of the public to the release of
5 the recording outweighs the privacy interests of the
6 individual who made the 911 call or any persons involved in
7 the facts or circumstances relating to the 911 call. This
8 section shall not apply to law enforcement personnel
9 conducting an investigation where the 911 telephone call is or
10 may be relevant to the investigation.

11 (b) Notwithstanding the provisions of subsection
12 (a), any written or electronic record detailing the
13 circumstances, response, or other events related to a 911 call
14 which are kept by the emergency communications district in its
15 regular course of business shall be deemed a public writing
16 under Section 36-12-40, Code of Alabama 1975, and subject to
17 public inspection as otherwise provided by law.

18 Section 2. All laws or parts of laws which conflict
19 with this act are repealed.

20 Section 3. This act shall become effective
21 immediately following its passage and approval by the
22 Governor, or its otherwise becoming law.