

**SB24 INTRODUCED**



1 SB24  
2 QTSP545-1  
3 By Senator Coleman  
4 RFD: Judiciary  
5 First Read: 04-Feb-25  
6 PFD: 19-Nov-24



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SYNOPSIS:

Under existing law, a recording made by a body-worn camera or dashboard camera used by law enforcement agencies may only be disclosed to an individual or a personal representative of an individual whose image or voice is the subject of the recording.

This bill would allow a recording made by a body-worn camera or dashboard camera used by law enforcement to be considered a public record, making the recording subject to public inspection.

This bill would require the custodial law enforcement agency to release the recording within 30 days of a request.

This bill would also provide for an appeals process if a law enforcement agency fails to provide a requested recording.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to law enforcement; to amend Sections 36-21-210, 36-21-212, and 36-21-213, Code of Alabama 1975; to



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29 further provide for the release of certain law enforcement  
30 recordings; and to provide an appeal process.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

32 Section 1. Sections 36-21-210, 36-21-212, and  
33 36-21-213, Code of Alabama 1975, are amended to read as  
34 follows:

35 "§36-21-210

36 ~~As used in~~ For the purposes of this article, the  
37 following terms have the following meanings:

38 (1) BODY-WORN CAMERA. An operational video or digital  
39 camera or other electronic device, including a microphone or  
40 other mechanism to capture audio, affixed to the uniform or  
41 person of law enforcement agency personnel and positioned in a  
42 way that allows the camera or device to capture interactions  
43 between law enforcement agency personnel and others.

44 (2) CUSTODIAL LAW ENFORCEMENT AGENCY. The law  
45 enforcement agency that owns or leases or whose personnel  
46 operates the equipment that created the recording at the time  
47 the recording was made. If another law enforcement agency  
48 takes over the investigation of the recorded incident, that  
49 agency becomes the custodial law enforcement agency for the  
50 purposes of this article.

51 (3) DASHBOARD CAMERA. A device or system installed or  
52 used in a law enforcement agency vehicle that electronically  
53 records images or audio of interactions between law  
54 enforcement agency personnel and others. This term does not  
55 include a body-worn camera.

56 ~~(4) DISCLOSE or DISCLOSURE. To make a recording~~



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57 ~~available for viewing or listening at a time and location~~  
58 ~~chosen by the custodial law enforcement agency. This term does~~  
59 ~~not include the release of a recording.~~

60 ~~(5) PERSONAL REPRESENTATIVE. A parent, court-appointed~~  
61 ~~guardian, spouse, or attorney of an individual whose image or~~  
62 ~~voice is the subject of the recording. If an individual whose~~  
63 ~~image or voice is the subject of the recording is deceased,~~  
64 ~~the term also means the personal representative of the estate~~  
65 ~~of the deceased individual; the deceased individual's~~  
66 ~~surviving spouse, parent, or adult child; the deceased~~  
67 ~~individual's attorney; or the parent or guardian of a~~  
68 ~~surviving minor child of the deceased.~~

69 ~~(6)~~ (4) RECORDING. A visual, audio, or visual and audio  
70 recording captured by a body-worn camera, a dashboard camera,  
71 or any other video or audio recording device operated by or on  
72 behalf of a law enforcement agency or law enforcement agency  
73 personnel when carrying out law enforcement responsibilities.  
74 This term does not include any video or audio recordings of  
75 interviews regarding agency internal investigations or  
76 interviews or interrogations of suspects or witnesses.

77 ~~(7) RELEASE. To provide a copy of a recording."~~

78 "§36-21-212

79 (a) ~~Recordings~~ A recording in the custody of a law  
80 enforcement agency shall be ~~disclosed to an individual or~~  
81 ~~personal representative only as provided by this article. This~~  
82 ~~article does not apply to the exchange of recordings between~~  
83 ~~law enforcement or prosecuting agencies~~ deemed a public record  
84 under Section 36-12-40 and subject to public inspection as



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85 otherwise provided by law. An individual requesting ~~disclosure~~  
86 the release of a recording must make a written request to the  
87 head of the custodial law enforcement agency that states the  
88 date and approximate time of the activity captured in the  
89 recording or otherwise identifies the activity with reasonable  
90 particularity sufficient to identify the recording to which  
91 the request refers.

92 (b) Nothing in this article shall limit or restrict the  
93 application of the Alabama Rules of Civil Procedure as they  
94 may be applied to the custodial law enforcement agency,  
95 including, but not limited to, Rule 45, nor Chapter 21 of  
96 Title 12.

97 ~~(c) A custodial law enforcement agency may only~~  
98 ~~disclose a recording to the following:~~

99 ~~(1) An individual whose image or voice is the subject~~  
100 ~~of the recording.~~

101 ~~(2) A personal representative of an adult individual~~  
102 ~~whose image or voice is the subject of the recording if the~~  
103 ~~adult individual has consented to the disclosure.~~

104 ~~(3) A personal representative of a minor whose image or~~  
105 ~~voice is the subject of the recording.~~

106 ~~(4) A personal representative of an adult individual~~  
107 ~~under lawful guardianship whose image or voice is the subject~~  
108 ~~of the recording.~~

109 ~~(5) A personal representative of an adult individual~~  
110 ~~who is incapacitated and unable to provide consent to~~  
111 ~~disclosure whose image or voice is the subject of the~~  
112 ~~recording.~~



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113 ~~(6) A personal representative of a deceased individual~~  
114 ~~whose image or voice is the subject of the recording.~~

115 ~~(d) (c)~~ When ~~disclosing~~ releasing a recording, the  
116 custodial law enforcement agency shall ~~disclose~~ release only  
117 those portions of the recording that are relevant to the  
118 individual's request.

119 ~~(e) An individual who receives disclosure pursuant to~~  
120 ~~this section shall not record or copy the recording.~~

121 (d) (1) An individual who requests the release of a  
122 recording that is denied by a law enforcement agency may file  
123 a petition for judicial review in the circuit court of the  
124 county where the individual resides or where the law  
125 enforcement agency is located.

126 (2) A circuit court may uphold a denial to release a  
127 recording only if the release would substantially interfere  
128 with an ongoing investigation, including, but not limited to,  
129 endangering the safety of a witness or a confidential source."

130 "§36-21-213

131 ~~(a) Upon~~ Within 30 days of receipt of the written  
132 request for ~~disclosure~~ release and payment of a reasonable fee,  
133 not to exceed the actual cost of producing the recording, as  
134 ~~promptly as possible,~~ the custodial law enforcement agency  
135 shall ~~do either of the following:~~

136 ~~(1) Disclose~~ release the portion of the recording  
137 relevant to the individual's request.

138 ~~(2) Notify the requestor of the custodial law~~  
139 ~~enforcement agency's decision not to disclose the recording. A~~  
140 ~~custodial law enforcement agency may choose to not disclose~~



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141 ~~the recording if the disclosure would affect an ongoing active~~  
142 ~~law enforcement investigation or prosecution.~~

143 ~~(b) A custodial law enforcement agency may charge a~~  
144 ~~reasonable fee for redaction and editing of a recording."~~

145 Section 2. This act shall become effective on October  
146 1, 2025.