

**SB157 INTRODUCED**



1 SB157

2 MSIZ91W-1

3 By Senators Coleman, Figures, Stewart, Smitherman

4 RFD: Veterans, Military Affairs and Public Safety

5 First Read: 14-Jan-26



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4     SYNOPSIS:

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

11                This bill would provide that a recording made by  
12    a body-worn camera or dashboard camera used by a law  
13    enforcement agency be considered a public record,  
14    making the recording subject to public inspection.

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

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20                A BILL

21                TO BE ENTITLED

22                AN ACT

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24                Relating to law enforcement; to amend Sections  
25    36-21-210, 36-21-212, and 36-21-213, Code of Alabama 1975; to  
26    further provide for the release of certain law enforcement  
27    recordings; and to provide an appeal process.

28    BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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29                   Section 1. Sections 36-21-210, 36-21-212, and  
30                   36-21-213, Code of Alabama 1975, are amended to read as  
31                   follows:

32                   "§36-21-210

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

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

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

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

53                   ~~(4) DISCLOSE or DISCLOSURE. To make a recording~~  
54                   ~~available for viewing or listening at a time and location~~  
55                   ~~chosen by the custodial law enforcement agency. This term does~~  
56                   ~~not include the release of a recording.~~



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

66                   ~~(6) (4) RECORDING. A visual, audio, or visual and audio  
67 recording captured by a body-worn camera, a dashboard camera,  
68 or any other video or audio recording device operated by or on  
69 behalf of a law enforcement agency or law enforcement agency  
70 personnel when carrying out law enforcement responsibilities.  
71 This term does not include any video or audio recordings of  
72 interviews regarding agency internal investigations or  
73 interviews or interrogations of suspects or witnesses.~~

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

75                   "§36-21-212

76                   (a) ~~Recordings~~ A recording in the custody of a law  
77 enforcement agency shall be ~~disclosed to an individual or~~  
78 ~~personal representative only as provided by this article. This~~  
79 ~~article does not apply to the exchange of recordings between~~  
80 ~~law enforcement or prosecuting agencies~~deemed a public record  
81 under Section 36-12-40 and subject to public inspection as  
82 otherwise provided by law. An individual requesting ~~disclosure~~  
83 the release of a recording must make a written request to the  
84 head of the custodial law enforcement agency that states the



85 date and approximate time of the activity captured in the  
86 recording or otherwise identifies the activity with reasonable  
87 particularity sufficient to identify the recording to which  
88 the request refers.

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

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

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

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

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

103 ~~(4) A personal representative of an adult individual~~  
104 ~~under lawful guardianship whose image or voice is the subject~~  
105 ~~of the recording.~~

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

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

112 ~~(d) (c) When disclosing releasing a recording, the~~

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113 custodial law enforcement agency shall ~~disclose~~ release only  
114 those portions of the recording that are relevant to the  
115 individual's request.

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

118 (d) (1) An individual whose request for the release of a  
119 recording is denied by a law enforcement agency may file a  
120 petition for judicial review in the circuit court of the  
121 county where the individual resides or where the law  
122 enforcement agency is located.

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

128 "§36-21-213

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

134 (1) ~~Disclose~~ Release the portion of the recording  
135 relevant to the individual's request.

136 (2) Notify the requestor of the custodial law  
137 enforcement agency's decision not to ~~disclose~~ release the  
138 recording if the release of ~~. A custodial law enforcement~~  
139 ~~agency may choose to not disclose~~ the recording ~~if the~~  
140 ~~disclosure~~ would ~~affect~~ substantially interfere with an

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141 ongoing active law enforcement investigation or prosecution.

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

144 Section 2. This act shall become effective on October  
145 1, 2026.