

Substitute for SENATE BILL No. 18

By Committee on Corrections and Juvenile Justice

2-23

1 AN ACT concerning law enforcement; relating to audio and video
2 recordings; confidential and exempt from open records act.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) Every audio and video recording made and retained by
6 law enforcement using a body camera or vehicle camera shall be
7 confidential and exempt from the open records act in accordance with
8 K.S.A. 45-221, and amendments thereto. The provisions of this subsection
9 shall expire on July 1, 2020, unless the legislature reviews and reenacts
10 this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to
11 July 1, 2020.

12 (b) A person described in subsection (c) may request to listen to an
13 audio recording or to view a video recording made by a body camera or
14 vehicle camera. The law enforcement agency shall provide the person a
15 viewing of the requested recording and may charge a reasonable fee for the
16 viewing services provided by the law enforcement agency.

17 (c) Any of the following may make a request under subsection (b):

18 (1) A person who is a subject of the recording;

19 (2) a parent or legal guardian of a person under 18 years of age who
20 is a subject of the recording; and

21 (3) an attorney for a person described in subsection (c)(1) or (c)(2).

22 (d) As used in this section:

23 (1) "Body camera" means a device that is worn by a law enforcement
24 officer that electronically records audio and video of such officer's
25 activities.

26 (2) "Vehicle camera" means a device that is attached to a law
27 enforcement vehicle that electronically records audio and video of law
28 enforcement officers' activities.

29 Sec. 2. This act shall take effect and be in force from and after its
30 publication in the statute book.