

FIRST REGULAR SESSION

HOUSE BILL NO. 987

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RHOADS.

2215L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 590, RSMo, by adding thereto one new section relating to recordings captured by peace officers' cameras, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 590, RSMo, is amended by adding thereto one new section, to be known as section 590.810, to read as follows:

590.810. 1. Any recording captured by a camera, which is capable of recording video or audio and is, during the course of a peace officer's official duties:

- (1) Worn on the person of a peace officer;**
- (2) Attached to a peace officer's motor vehicle, watercraft, or aircraft; or**
- (3) Attached to any other device used by a peace officer,**

shall not be a public record for purposes of the state's open records law under chapter 610 and shall not be disclosed by a law enforcement agency except upon order of a court or under the prosecution or defense of a criminal case.

2. No law enforcement agency shall be required by the state to provide cameras as described in subsection 1 of this section to officers employed by the agency, nor shall the state require any peace officer to wear such cameras.

3. A law enforcement agency shall retain any recording as described under subsection 1 of this section for at least thirty calendar days and no longer than ninety calendar days unless the recording is needed for an active criminal investigation or being used as evidence in a criminal case or civil litigation.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **4. The attorney general shall enforce the provisions of this section and may impose**
18 **a civil fine of up to five thousand dollars on a law enforcement agency for each violation**
19 **of subsection 1 or 3 of this section.**

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