

case2nd Sub. S.B. 196
LICENSE PLATE READER AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 5

MARCH 12, 2013 3:07 PM

Representative **Daniel McCay** proposes the following amendments:

1. *Page 1, Lines 23 through 24*

Senate 2nd Reading Amendments

3-8-2013:

- 23 ▶ establishes procedures for a governmental entity or defendant in a criminal case to submit a
preservation request for
24 captured plate data; and

2. *Page 4, Lines 99 through 104:*

- 99 (1) A person or governmental entity using an automatic license plate reader system
100 shall take all steps necessary to preserve captured plate data in its possession for 14 days after
101 the date the data is captured pending the issuance of a court order requiring the disclosure of
102 the captured plate data if a governmental entity or defendant in a criminal case requesting the captured
plate data submits a
103 written statement to the person or governmental entity using an automatic license plate reader
104 system:

3. *Page 4, Lines 110 through 113:*

- 110 (c) notifying the person or governmental entity maintaining the captured plate data that
111 the governmental entity or defendant in a criminal case is applying for a court order for disclosure of the
captured plate data.
112 (2) (a) A governmental entity or defendant in a criminal case may apply for a court order for the
disclosure of captured
113 plate data.

4. *Page 4, Lines 114 through 117:*

- 114 (b) A court that is a court of competent jurisdiction shall issue a court order requiring
115 the disclosure of captured plate data if the governmental entity or defendant in a criminal case offers
specific and articulable
116 facts showing that there are reasonable grounds to believe that the captured plate data is
117 relevant and material to an ongoing criminal or missing person investigation.