

LAW ENFORCEMENT BODY CAMERA FOOTAGE

AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions regarding the release of recordings made by body cameras worn by law enforcement officers.

Highlighted Provisions:

This bill:

▶ provides that any release of recordings made by a body camera that is worn by a law enforcement officer shall be subject to the Government Records Access and Management Act; ~~H→~~ **and** ~~←H~~

▶ allows a requestor to immediately appeal to a district court any denial of access to a recording if that denial is based solely on the grounds of a pending criminal action ~~H→~~ [; **and**] .

~~[→ provides that a respondent government entity has five business days to request that an appeal be assigned to the same judge who has jurisdiction over the pending criminal case related to the requested recordings.] ←H~~

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



28 AMENDS:

29 77-7a-107, as enacted by Laws of Utah 2016, Chapter 410

30

31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section 77-7a-107 is amended to read:

33 **77-7a-107. Retention and release of recordings.**

34 (1) Any recording made by an officer while on duty or acting in the officer's official
35 capacity as a law enforcement officer shall be retained in accordance with applicable federal,
36 state, and local laws.

37 (2) ~~H~~→ (a) ←~~H~~ Any release of recordings made by an officer while on duty or acting in the
37a officer's

38 official capacity as a law enforcement officer shall be subject to Title 63G, Chapter 2,
39 Government Records Access and Management Act.

40 ~~H~~→ [(a)] (b) ←~~H~~ Notwithstanding any other provision in state or local law, a person who
40a requests

41 access to the recordings may immediately appeal to a district court, as provided in Section
42 63G-2-404, any denial of access to a recording based solely on Subsection 63G-2-305(10)(b) or
43 (c) due to a pending criminal action that has been filed in a court of competent jurisdiction.

44 ~~H~~→ [(b) ~~The respondent governmental entity or political subdivision may, within five~~
45 ~~business days after the appeal petition is served, request that the petition be assigned to the~~
46 ~~same judge, if applicable, as is assigned to the pending criminal action.] ←~~H~~~~

Legislative Review Note
Office of Legislative Research and General Counsel