

**First Regular Session
Seventy-Seventh General Assembly
STATE OF SAN ANDREAS**

INTRODUCED

LLS NO. 26-0713.01 Alison Beasley x2583

HOUSE BILL 26-008

SENATE SPONSORSHIP

Brinkerhoff

HOUSE SPONSORSHIP

Bowman, Floyd, Kelly, Kessel

House Committees

Not assigned

Senate Committees

Not assigned

A BILL FOR AN ACT

CONCERNING THE USE OF BODY-WORN CAMERAS FOR PUBLIC SERVANTS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <https://saleg.uscgov.com>)

This bill requires certain public servants who regularly interact with members of the public while performing official duties to utilize body-worn cameras and establishes statewide standards governing their use. The bill is intended to increase transparency, improve accountability, and provide clear documentation of public interactions while balancing individual privacy rights and operational needs of government agencies.

Shading denotes HOUSE amendment. Underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

The legislation requires state and local agencies to provide body-worn cameras to public-facing employees, including law enforcement and other public safety personnel, and to adopt policies consistent with statewide requirements for activation, recording, storage, and disclosure of footage. Cameras must generally be activated during enforcement actions, investigative encounters, use of force incidents, and other official interactions where documentation is necessary.

The bill also establishes privacy protections by limiting recording in sensitive locations or situations and allowing temporary deactivation when privacy concerns outweigh enforcement needs. Recordings are subject to public records laws, with allowances for redaction or withholding where disclosure would violate privacy, interfere with investigations, or endanger individuals.

Additionally, the bill requires agencies to adopt disciplinary standards for intentional misuse or failure to activate body-worn cameras and authorizes rulemaking by the Department of Public Safety to ensure consistent statewide implementation.

1 ***Be it enacted by the General Assembly of the State of San***
2 ***Andreas:***
3 **SECTION 1. SHORT TITLE.** This Act shall be known and may
4 be cited as the “Public Servant Transparency Act.” **SECTION 2.**
5 **LEGISLATIVE DECLARATION.** The General Assembly hereby
6 finds and declares that: (a) Public trust in government institutions
7 depends upon transparency, accountability, and professional
8 conduct by public servants. (b) Body-worn cameras have been
9 shown to improve documentation of public interactions, reduce
10 disputes regarding official conduct, and increase confidence in
11 government operations. (c) The use of body-worn cameras must
12 be balanced with the privacy rights of residents and the
13 operational needs of public agencies. (d) Clear and uniform
14 standards governing the activation, use, retention, and disclosure
15 of body-worn camera recordings are necessary to ensure
16 consistency and protect both the public and public servants. (e) It

1 is the intent of the General Assembly to require body-worn
2 cameras for certain public-facing government employees while
3 establishing reasonable limitations and safeguards regarding their
4 use. **SECTION 3. DEFINITIONS.** For purposes of this Act,
5 unless the context otherwise requires: (a) “Body-worn camera” or
6 “BWC” means an audio and video recording device worn on a
7 person’s body that records interactions with members of the
8 public. (b) “Public servant” means any employee or official of a
9 state or local government agency who regularly interacts with
10 members of the public in an official capacity, including but not
11 limited to law enforcement officers, code enforcement officers,
12 probation officers, and public safety personnel. (c) “Public
13 interaction” means any encounter between a public servant and a
14 member of the public occurring while the public servant is
15 performing official duties. (d) “Recording” means any audio or
16 video captured by a body-worn camera. **SECTION 4.**

17 **REQUIREMENT FOR BODY-WORN CAMERAS.** (a) All state
18 and local government agencies employing public servants who
19 regularly engage in public interactions shall provide body-worn
20 cameras to those employees. (b) Public servants required to wear
21 body-worn cameras shall wear and maintain the device in an
22 operational condition while performing official duties involving
23 public interaction. (c) Agencies shall develop written policies
24 consistent with this Act governing issuance, maintenance, and
25 training related to body-worn cameras. **SECTION 5.**

26 **ACTIVATION REQUIREMENTS.** (a) A body-worn camera shall
27 be activated during: (I) Enforcement actions or investigative
28 encounters; (II) Detentions, searches, or arrests; (III) Execution of
29 warrants; (IV) Use of force incidents; and (V) Any interaction that
30 becomes adversarial or enforcement-related. (b) A public servant
31 shall notify individuals that recording is occurring when
32 reasonably practicable, except when doing so would be unsafe or
33 impractical. (c) A body-worn camera shall not be intentionally

1 deactivated during an active enforcement or investigative
2 interaction unless: (I) The interaction has concluded; or (II)
3 Privacy considerations require temporary deactivation as provided
4 in Section 6. **SECTION 6. PRIVACY PROTECTIONS.** (a)
5 Recording shall be prohibited in the following circumstances
6 unless required for enforcement purposes: (I) Inside private
7 residences where no enforcement action is occurring; (II) During
8 conversations involving confidential informants; (III) During
9 discussions involving medical, legal, or educational
10 confidentiality; (IV) In restrooms or changing facilities. (b)
11 Individuals may request that recording cease in sensitive
12 situations, and the public servant may deactivate the camera when
13 doing so does not compromise safety or enforcement duties.
14 **SECTION 7. DATA RETENTION AND STORAGE.** (a)
15 Recordings not associated with an investigation, complaint, or
16 enforcement action shall be retained for a minimum of ninety
17 days. (b) Recordings associated with investigations, use of force
18 incidents, complaints, or legal proceedings shall be retained in
19 accordance with evidence retention laws. (c) Agencies shall
20 ensure secure storage and protection against unauthorized access
21 or alteration. **SECTION 8. PUBLIC ACCESS AND**
22 **DISCLOSURE.** (a) Recordings shall be subject to public records
23 laws, except where disclosure would: (I) Violate personal privacy;
24 (II) Interfere with an active investigation; (III) Reveal confidential
25 or protected information; or (IV) Endanger the safety of an
26 individual. (b) Agencies may redact recordings to protect privacy
27 interests prior to release. **SECTION 9. COMPLIANCE AND**
28 **DISCIPLINE.** (a) Agencies shall establish disciplinary policies
29 for intentional failure to activate or unauthorized deactivation of a
30 body-worn camera. (b) Repeated or intentional violations may be
31 considered misconduct. **SECTION 10. RULEMAKING**
32 **AUTHORITY.** The Department of Public Safety may promulgate
33 rules necessary to implement this Act. **SECTION 11.**

1 EFFECTIVE DATE. This Act shall take effect after the 90-day
2 period after final adjournment of the Seventy-Seventh general
3 assembly.