

NOTE: This is the presented and final version of House Bill 26-008 as presented to the Governor for approval. No gubernatorial action has been recorded at this time.



HOUSE BILL 26-008

BY SENATOR(S) Aaliyah Zokaie
also REPRESENTATIVE(S) Colleen Bowman, Caleb Floyd,
Pat Kelly, Anna Kessel

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

*Be it Enacted by the General Assembly of the State of San
Andreas:*

In the San Andreas Revised Statutes, **ADD** section 24-31-116 as follows:

SECTION 1. SHORT TITLE. This Act shall be known and may be cited as the “Public Servant Transparency Act.”

SECTION 2. LEGISLATIVE DECLARATION. The General Assembly hereby finds and declares that: (a) Public trust in government institutions depends upon transparency, accountability, and professional conduct by public servants. (b) Body-worn cameras have been shown to improve documentation of public interactions, reduce disputes regarding official conduct, and increase confidence in government operations. (c) The use of body-worn cameras must be balanced with the privacy rights of residents and the operational needs of public agencies. (d) Clear and uniform standards governing the activation, use, retention, and disclosure of body-worn camera recordings are necessary to ensure

consistency and protect both the public and public servants. (e) It is the intent of the General Assembly to require body-worn cameras for certain public-facing government employees while establishing reasonable limitations and safeguards regarding their use.

SECTION 3. DEFINITIONS. For purposes of this Act, unless the context otherwise requires: (a) “Body-worn camera” or “BWC” means an audio and video recording device worn on a person’s body that records interactions with members of the public. (b) “Public servant” means any employee or official of a state or local government agency who regularly engages in law enforcement, regulatory enforcement, public safety response, or investigative duties involving direct contact with members of the public, including but not limited to law enforcement officers, probation officers, code enforcement officers, and public safety personnel. (c) “Public interaction” means any encounter between a public servant and a member of the public occurring while the public servant is performing official duties. (d) “Recording” means any audio or video captured by a body-worn camera.

SECTION 4. REQUIREMENT FOR BODY-WORN CAMERAS. (a) All state and local government agencies employing public servants who regularly engage in public interactions shall provide body-worn cameras to those employees. (b) Public servants required to wear body-worn cameras shall wear and maintain the device in an operational condition while performing official duties involving public interaction. (c) Agencies shall develop written policies consistent with this Act governing issuance, maintenance, and training related to body-worn cameras. (d) Agencies subject to this Act shall ensure that all personnel required to wear body-worn cameras receive training regarding proper activation procedures, privacy protections, evidence handling, and retention requirements prior to deployment of such equipment.

SECTION 4.5. STATE ASSISTANCE. (a) Subject to appropriation, the Department of Public Safety shall establish a grant program to assist local governments and smaller agencies in

acquiring, maintaining, and securely storing body-worn camera systems required under this Act. (b) Priority shall be given to rural jurisdictions and agencies with limited fiscal capacity.

SECTION 5. ACTIVATION REQUIREMENTS. (a) A body-worn camera shall be activated during: (I) Enforcement actions or investigative encounters; (II) Detentions, searches, or arrests; (III) Execution of warrants; (IV) Use of force incidents; and (V) Any interaction that becomes adversarial or enforcement-related. (b) A public servant shall notify individuals that recording is occurring when reasonably practicable, except when doing so would be unsafe or impractical. (c) A body-worn camera shall not be intentionally deactivated during an active enforcement or investigative interaction unless: (I) The interaction has concluded; or (II) Privacy considerations require temporary deactivation as provided in Section 6. (d) A body-worn camera required under this Act shall be activated at the initiation of any public interaction reasonably anticipated to involve enforcement, investigation, or official action and shall remain activated until the interaction has fully concluded. A public servant shall not intentionally delay activation once such interaction has begun. (e) A body-worn camera shall be activated prior to and during any anticipated use of force and shall remain activated following the incident until the scene has stabilized and supervisory personnel have assumed control. (f) Body-worn cameras shall remain activated during crowd control operations, demonstrations, or public assemblies when public servants are performing enforcement or safety duties.

SECTION 6. PRIVACY PROTECTIONS. (a) Recording shall be prohibited in the following circumstances unless required for enforcement purposes: (I) Inside private residences where no enforcement action is occurring; (II) During conversations involving confidential informants; (III) During discussions involving medical, legal, or educational confidentiality; (IV) In restrooms or changing facilities. (b) Individuals may request that recording cease in sensitive situations, and the public servant may deactivate the camera when doing so does not compromise safety

or enforcement duties. (c) Deactivation based upon privacy considerations shall be verbally documented on the recording prior to deactivation whenever practicable and shall include the reason for cessation of recording.

SECTION 7. DATA RETENTION AND STORAGE. (a) Recordings not associated with an investigation, complaint, or enforcement action shall be retained for a minimum of one hundred eighty days. (b) Recordings associated with investigations, use of force incidents, complaints, or legal proceedings shall be retained in accordance with evidence retention laws. (c) Agencies shall ensure secure storage and protection against unauthorized access or alteration. (d) No recording captured pursuant to this Act shall be altered, edited, deleted, or otherwise modified except pursuant to a lawful retention schedule or court order. Any redaction performed for disclosure purposes shall preserve the original recording in its unaltered form. (e) Recordings documenting use of force resulting in death or serious bodily injury shall be retained for a minimum of three years unless otherwise required by law or court order.

SECTION 8. PUBLIC ACCESS AND DISCLOSURE. (a) Recordings shall be subject to public records laws, except where disclosure would: (I) Violate personal privacy; (II) Interfere with an active investigation; (III) Reveal confidential or protected information; or (IV) Endanger the safety of an individual. (b) Agencies may redact recordings to protect privacy interests prior to release. (c) Recordings involving use of force resulting in serious bodily injury or death shall be released to the public within twenty-one days unless a court finds that release would substantially interfere with an active criminal investigation. Any delay authorized under this subsection shall be narrowly tailored and reviewed every fourteen days.

SECTION 9. COMPLIANCE AND DISCIPLINE. (a) Agencies shall establish disciplinary policies for intentional failure to activate or unauthorized deactivation of a body-worn camera. (b) Repeated or intentional violations may be considered

misconduct. (c) The presumption described in this subsection shall not apply where the failure to record resulted from equipment malfunction, loss of power, or other technical failure beyond the control of the public servant. (d) A public servant involved in a use of force incident resulting in death or serious bodily injury shall not review body-worn camera footage prior to providing an initial statement, except as required by collective bargaining agreement or court order.

SECTION 10. RULEMAKING AUTHORITY. The Department of Public Safety may promulgate rules necessary to implement this Act.

SECTION 10.5. REPORTING. The Department of Public Safety shall submit an annual report to the General Assembly and the Governor summarizing: the number of agencies utilizing body-worn cameras, compliance with activation requirements, disciplinary actions related to misuse, and the number of public records requests for body-worn camera footage.

SECTION 11. EFFECTIVE DATE. Act subject to petition – effective date. This act takes effect on August 18, 2026, assuming the general assembly adjourns sine die on May 18, 2026; except that, if a veto petition is filed pursuant to Article II, Section 15 of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Brooklynn Suarez
SPEAKER OF THE HOUSE OF
REPRESENTATIVES

Benjamin Harrison
PRESIDENT OF THE
SENATE

Gabriella Spears
CLERK OF THE HOUSE OF
REPRESENTATIVES

Estella Newman
SECRETARY OF THE
SENATE

APPROVED:

(Date and Time)

Isabel R. Payne
GOVERNOR OF THE STATE OF SAN
ANDREAS