

2026 Regular Session

HOUSE BILL NO. 410

BY REPRESENTATIVES SCHLEGEL AND EDMONSTON

1 AN ACT

2 To enact Chapter 7 of Code Title IV of Book III of Title 9 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 9:2790.1 through 2790.4, relative to in-person
4 communication; to provide for legislative intent; to provide for definitions; to require
5 individuals to be informed they are being recorded; to provide for penalties; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 7 of Code Title IV of Book III of Title 9 of the Louisiana Revised
9 Statutes of 1950, comprised of R.S. 9:2790.1 through 2790.4, is hereby enacted to read as
10 follows:

11 CHAPTER 7. ~~UNIFORM FRAUDULENT TRANSFER ACT~~

12 ALL PARTY NOTIFICATION FOR IN-PERSON CONVERSATION

13 §2790.1. Legislative findings; declaration of purpose

14 A. The legislature finds that an individual who engages in a direct
15 conversation has a reasonable expectation that the conversation is not videoed and
16 recorded or transcribed unless notice is given, and that the undisclosed preservation
17 and dissemination of the videos and recordings of these direct conversations
18 undermines trust, autonomy, dignity, privacy, and fairness in human interactions.

19 B. Recent incidents have highlighted the misuse of wearable recording
20 devices such as smart glasses for covertly filming individuals without their
21 knowledge. These recordings are often disseminated on social media platforms,
22 leading to harassment and violations of personal privacy.

1 C. The purpose of this Chapter is to protect individuals from the
2 technological preservation and harmful dissemination of direct conversations while
3 preserving the lawful videoing and recording of public events, legitimate law
4 enforcement activity, public officials, and videos and recordings made to document
5 criminal, tortious, or threatening conduct.

6 D. This Chapter shall not be interpreted to restrict lawful videoing and
7 recording protected by the Constitution of the United States of America or the
8 Constitution of Louisiana.

9 §2790.2. Definitions

10 For purposes of this Chapter, the following definitions apply:

11 (1) "Direct conversation" means any in-person oral communication directed
12 to a specific individual or individuals under circumstances in which a reasonable
13 person would not expect the communication to be videoed and recorded or
14 transcribed.

15 (2) "First responder activity" means videos and recordings or transcriptions
16 made by a first responder, as defined by R.S. 40:978.1, in the performance of official
17 duties.

18 (3) "Law enforcement activity" means videos and recordings or
19 transcriptions made by a peace officer or other person acting under color of law in
20 the lawful performance of official duties including but not limited to the following:

21 (a) Undercover operations that produce videos and recordings made by
22 undercover officers, confidential informants, and cooperating individuals.

23 (b) One-party consent videos and recordings conducted as part of an
24 investigation or intelligence-gathering function.

25 (c) Body camera recordings or any videoing and recording conducted by or
26 at the discretion of law enforcement.

27 (4) "Public or semi-public meetings" mean governmental hearings, press
28 conferences, public speeches, rallies, or other similar circumstances.

1 §2790.3. Notification of videoing and recording direct conversation

2 A. No participant in a direct conversation shall intentionally use a wearable
3 eyeglass recording device to video and record or transcribe a direct conversation with
4 any other participant unless all participants are specifically notified that the
5 conversation is being videoed and recorded or transcribed.

6 B. The provisions of this Section do not apply to any of the following:

7 (1) Public or semi-public meetings.

8 (2) Law enforcement activity.

9 (3) Emergencies or first responder activities.

10 (4) Videos and recordings or transcriptions of a public official made in any
11 of the following manners:

12 (a) Of a public official performing an official duty in a public place where
13 there is no reasonable expectation of privacy.

14 (b) For the purpose of preserving evidence related to a public corruption
15 crime as defined in R.S. 11:293.

16 (c) For the purpose of preserving evidence related to malfeasance in office
17 as provided in R.S. 14:134.

18 (5)(a) A person who videos and records a law enforcement officer in the
19 performance of his official duties while the officer is in a public place or a place
20 where the private person has a legal right to be.

21 (b) The exception provided in this Paragraph does not extend to an
22 individual who physically interferes or materially obstructs lawful law enforcement
23 activity.

24 (6) Videos and recordings or transcriptions of a direct conversation made for
25 the purpose of preserving evidence related to an actual or anticipated civil or
26 administrative proceeding.

27 (7) Videos and recordings or transcriptions of a direct conversation made for
28 the purpose of preserving evidence related to a criminal act or proceeding.

29 (8) Videos and recordings or transcriptions of a direct conversation made by
30 a participant in his own residence.

1 (9) Recordings or transcriptions made by a participant in his own place of
2 business or employment.

3 (10) Recordings or transcriptions made by a participant in his own vehicle
4 or his employer's vehicle.

5 (11) Videos and recordings or transcriptions of a conversation if the person
6 recording or transcribing the conversation is not a participant.

7 C. Nothing in this Section shall be construed to limit, modify, expand, or
8 supersede the provisions of the Electronic Surveillance Act, R.S. 15:1301 et seq.

9 D. This Chapter shall not apply to incidental, unintended, or background
10 capture of individuals or conversations occurring in public places where the videoing
11 and recording are not specifically directed at the individuals.

12 §2790.4. Penalties

13 A. Any person who is found to have violated the provisions of this Chapter
14 shall be liable to an individual for any damages including court costs and reasonable
15 attorney fees as ordered by the court.

16 B. A claimant shall demonstrate actual damages resulting from intentional
17 unlawful videoing and recording and dissemination.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____