

2026 Regular Session

HOUSE BILL NO. 995

BY REPRESENTATIVE LACOMBE

CRIMINAL/PROCEDURE: Provides relative to the electronic access of videotaped statements of protected persons

1 AN ACT

2 To amend and reenact Children's Code Article 327(C) and to enact R.S. 15:440.5(D) and
3 Children's Code Article 327(D), relative to videotaped statements of protected
4 persons; to provide relative to accessibility; to provide for limitations; to provide
5 relative to the production of videotaped statements at trial; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:440.5(D) is hereby enacted to read as follows:

9 §440.5. Admissibility of videotaped statements; discovery by defendant

10 * * *

11 D. The district attorney, if required to provide a copy of a videotaped
12 statement of a protected person, may provide the defendant's attorney, the court, or
13 any other person permitted by law with electronic access to a copy of the videotaped
14 statement in a manner that is sufficient to protect the rights of the criminal defendant
15 under the United States Constitution and Louisiana Constitution. This Subsection
16 does not permit any of the following:

17 (1) The authorization of a pro se criminal defendant to electronically access
18 a copy of a videotaped statement of a protected person.

19 (2) The negation or circumvention of any requirement that a physical copy
20 of the videotaped statement of a protected person be produced at a criminal trial.

1 Section 2. Children's Code Article 327(C) is hereby amended and reenacted and
2 Children's Code Article 327(D) is hereby enacted to read as follows:

3 Art. 327. Admissibility

4 * * *

5 C. The district attorney, if required to provide a copy of a videotaped
6 statement of a protected person, may provide the defendant's attorney, the court, or
7 any other person permitted by law with electronic access to a copy of the videotaped
8 statement in a manner that is sufficient to protect the rights of the criminal defendant
9 under the United States Constitution and Louisiana Constitution. This Paragraph
10 does not permit any of the following:

11 (1) The authorization of a pro se criminal defendant to electronically access
12 a copy of a videotaped statement of a protected person.

13 (2) The negation or circumvention of any requirement that a physical copy
14 of the videotaped statement of a protected person be produced at a criminal trial.

15 D. Nothing in this Chapter shall be construed to prohibit the right of
16 confrontation of a defendant in a criminal proceeding before the court.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 995 Engrossed

2026 Regular Session

LaCombe

Abstract: Provides relative to the electronic access of videotaped statements of protected persons.

Present law (R.S. 15:440.5 and Ch.C. Art. 327) provides relative to the admissibility of videotaped statements of protected persons.

Proposed law retains present law.

Proposed law authorizes the district attorney, if required to provide a copy of a videotaped statement of a protected person, to provide the defendant's attorney, the court, or any other person permitted by law with electronic access to a copy of the videotaped statement in a manner that is sufficient to protect the constitutional rights of the criminal defendant.

Proposed law does not permit any of the following:

(1) The authorization of a pro se criminal defendant to electronically access a copy of a videotaped statement of a protected person.

- (2) The negation or circumvention of any requirement that a physical copy of the videotaped statement of a protected person be produced at a criminal trial.

(Amends Ch.C. Art. 327(C); Adds R.S. 15:440.5(D) and Ch.C. Art. 327(D))