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## DIGEST

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HB 265 Original

2023 Regular Session

Fontenot

**Abstract:** Provides for an additional exception that permits a law enforcement officer or agency to publish, release, or disseminate a booking photograph.

Present law (C.Cr.P. Art. 234(C)) provides that a booking photograph as defined in present law shall not be subject to the Public Records Law and prohibits a law enforcement officer or agency from publishing, releasing, or disseminating a booking photograph to the public or to a private person or entity unless:

- (1) The individual is a fugitive and such release will assist in apprehending the individual.
- (2) The individual is an imminent threat and such release will assist in reducing or eliminating the threat.
- (3) A judge orders such release based upon a finding that the release is in furtherance of a legitimate interest.
- (4) The individual is convicted of the crime for which he was arrested.
- (5) The individual is charged with a crime of violence as defined in present law (R.S. 14:2(B)), except stalking, or charged with certain enumerated offenses.

Proposed law amends present law to add an exception for when an individual is released on a bail undertaking and the law enforcement officer or agency is requested to release or disseminate the booking photograph to the individual's surety agent.

(Adds C.Cr.P. Art. 234(C)(1)(f))