

2026 Regular Session

HOUSE BILL NO. 1054

BY REPRESENTATIVE VILLIO

1 AN ACT

2 To enact Code of Evidence Article 902.1, relative to evidence; to provide for self-  
3 authentication of certain evidence; to provide relative to certain footage; to provide  
4 for time periods; to provide for applicable proceedings; to provide for notice; to  
5 provide for certificates; to authorize the filing of a demand for certain testimony; to  
6 provide for service; to provide relative to the extension of time periods; to provide  
7 for duties of the court; to provide relative to the admissibility of certain evidence; to  
8 provide for definitions; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Code of Evidence Article 902.1 is hereby enacted to read as follows:

11 Art. 902.1. Self-authentication; unmanned aircraft system footage

12 A.(1) Except as provided in Paragraph H of this Article, a party seeking to  
13 introduce at trial any footage that is taken by an unmanned aircraft system operated  
14 on behalf of a law enforcement agency may, not less than forty-five days prior to the  
15 commencement of trial, provide written notice of intent to offer proof of  
16 authentication by certificate.

17 (2) The provisions of this Article apply to the following proceedings:

18 (a) All criminal cases.

19 (b) All cases in juvenile courts.

20 (c) All family court proceedings involving criminal matters.

21 (d) All civil forfeiture proceedings arising from criminal activity.

1           (3) Notice provided pursuant to this Paragraph shall include a copy of the  
2           certificate. The certificate, at a minimum, shall contain all of the following:

3           (a) The name and law enforcement agency of the person operating the  
4           unmanned aircraft system or the custodian of the recording or other qualified law  
5           enforcement employee with knowledge of the recording system.

6           (b) A law enforcement agency reference number or brief description of the  
7           footage.

8           (c) The date and time when the footage was recorded.

9           (d) A statement that the footage is a true and accurate copy of the recording  
10          produced by the unmanned aircraft system.

11          (e) A statement that the recording was collected and preserved in the course  
12          of law enforcement activities.

13          B.(1) The certificate shall be signed and dated by the declarant. Law  
14          enforcement agencies may utilize electronic signatures to comply with the provisions  
15          of this Article.

16          (2) If more than one person participated in the operation of the unmanned  
17          aircraft system, the certificate may identify the primary operator responsible for the  
18          recording.

19          C. The attorney for the defendant or the defendant acting in his own defense,  
20          if not represented by counsel, may demand the testimony of the person who operated  
21          the unmanned aircraft system by filing a written demand and serving it upon the  
22          attorney general, the district attorney, or the attorney who represents the law  
23          enforcement agency. If a demand is timely made in accordance with this Article, the  
24          footage shall not be considered self-authenticating pursuant to this Article.

25          D. Except as provided in Paragraph H of this Article, the attorney for the  
26          defendant or the defendant acting in his own defense, if not represented by counsel,  
27          shall file and serve a demand for the testimony of the person who operated the  
28          unmanned aircraft system within thirty days of the receipt of the notice provided  
29          pursuant to Paragraph A of this Article. The court may extend the period for good  
30          cause shown if such request is made prior to the expiration of the period.

1           E. If no request for additional time is made prior to the expiration of the  
2           period, an extension of time to make such a demand may be made only upon a  
3           showing of exceptional circumstances. Any allegation that exceptional circumstances  
4           exist shall constitute a preliminary plea on the defendant's behalf for the purposes of  
5           Code of Criminal Procedure Article 580. The demand shall be made in writing and  
6           notice shall be served on the attorney general prosecuting the matter, the district  
7           attorney, or the attorney who represents the law enforcement agency. The court shall  
8           conduct a contradictory hearing to determine if an extension is warranted.

9           F. If notice is timely filed in accordance with Paragraph A of this Article and  
10          if the defendant does not timely file a demand in accordance with Paragraph D of  
11          this Article, the footage from the unmanned aircraft system shall be admissible at  
12          trial without the necessity of testimony from the operating person and such footage  
13          shall be deemed self-authenticating.

14          G. The defendant's filing of a demand does not prevent the admission of the  
15          footage in any other manner otherwise appropriate pursuant to this Code or any  
16          ancillaries of this Code.

17          H.(1) A party seeking to offer proof of authentication by certificate in  
18          accordance with this Article in a noncriminal case in juvenile court shall, not less  
19          than thirty days prior to the commencement of the trial, provide written notice of  
20          intent to offer proof of authentication by certificate. Notice provided pursuant to  
21          this Paragraph shall include a copy of the certificate.

22          (2) Any demand for testimony made pursuant to Paragraph D of this Article  
23          shall be made within ten days of receipt of the notice provided pursuant to  
24          Subparagraph (1) of this Paragraph.

25          I. For the purposes of this Article, the following terms have the following  
26          meanings:

27          (1) "Electronic signature" means an electronic sound, symbol, or process  
28          attached to or logically associated with a record and executed or adopted by a person  
29          with the intent to sign the record.

1                   (2) "Footage" means video recordings, still images extracted from video  
2                   recordings, or any associated metadata generated by the unmanned aircraft system.

3                   (3) "Law enforcement agency" means the sheriff of any parish, constable,  
4                   or police force as defined by law, and the Department of Public Safety and  
5                   Corrections.

6                   (4) "Unmanned aircraft system" means an unmanned, powered aircraft that  
7                   does not carry a human operator, can be autonomous or remotely piloted or operated,  
8                   and can be expendable or recoverable.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_