

The House Committee on Public Safety and Homeland Security offers the following substitute to SB 482:

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 35 and 50 of the Official Code of Georgia Annotated, relating to law
2 enforcement officers and agencies and state government, respectively, so as to require
3 persons requesting booking photographs or law enforcement videos to provide certain
4 information to obtain such photographs and videos; to require requests for booking
5 photographs or law enforcement videos to be made in person as separate requests; to provide
6 a definition; to provide for the public disclosure of certain records of the General Assembly;
7 to provide for an exemption from disclosing audio and video recordings when such
8 recordings depict a person's death; to provide for exceptions; to authorize redactions; to
9 provide for application; to provide for construction; to provide for related matters; to provide
10 for an effective date and applicability; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and
14 agencies, is amended in Chapter 1, relating to general provisions regarding law enforcement
15 officers and agencies, by revising subsection (d) of and adding a new subsection to Code

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16 Section 35-1-19, relating to disclosure of arrest booking photographs prohibited, to read as
17 follows:

18 "(d) When a person requests a booking photograph, he or she shall request such
19 photograph by identifying the first and last name of the individual depicted and submit a
20 notarized statement affirming that the use of such photograph is in compliance with
21 subsection (c) of this Code section. Any person who knowingly makes a false statement
22 in requesting a booking photograph shall be guilty of a violation of Code Section 16-10-20.

23 (e) Except for requests by the person or persons depicted or requests by the attorney or
24 other designated agent of such person or persons depicted, requests for booking
25 photographs shall be made in person as separate requests for each booking photograph.
26 Requests for booking photographs by the person or persons depicted or requests by the
27 attorney or other designated agent of such person or persons depicted shall be made in
28 writing pursuant to Article 4 of Chapter 18 of Title 50.

29 (f) This Code section shall not apply to requests for booking photographs made by bona
30 fide credentialed members of the Georgia Press Association or the Georgia Association of
31 Broadcasters."

32 SECTION 2.

33 Said title is further amended by adding a new Code section to read as follows:

34 "35-1-19.1.

35 (a) As used in this Code section, the term 'law enforcement video' means any video
36 recording of an individual taken by a law enforcement agency during the course of an
37 encounter or interaction with such individual, including, but not limited to, recordings from
38 body-worn devices or devices located on or inside of law enforcement vehicles.

39 (b) When a person requests a law enforcement video, he or she shall request such video
40 by identifying the first and last name of an individual depicted in such video, or the
41 approximate date, time, and location of the encounter or interaction that is depicted in such

42 video. Any person who knowingly makes a false statement in requesting a law
 43 enforcement video shall be guilty of a violation of Code Section 16-10-20.

44 (c) Except for requests by the person or persons depicted or requests by the attorney or
 45 other designated agent of such person or persons depicted, requests for law enforcement
 46 videos shall be made in person as separate requests for each law enforcement video.
 47 Requests for law enforcement videos by the person or persons depicted or requests by the
 48 attorney or other designated agent of such person or persons depicted shall be made in
 49 writing pursuant to Article 4 of Chapter 18 of Title 50.

50 (d) A law enforcement agency may redact a law enforcement video produced under this
 51 Code section to conceal the identity of the persons depicted in such video; provided,
 52 however, that images of the individual identified in subsection (b) of this Code section and
 53 images of law enforcement personnel shall not be redacted.

54 (e) Nothing in this Code section shall be construed as requiring disclosure of any law
 55 enforcement video that is otherwise exempt from disclosure under Code Section 50-18-72.

56 (f) Except for subsection (d), this Code section shall not apply to requests for law
 57 enforcement videos made by bona fide credentialed members of the Georgia Press
 58 Association or the Georgia Association of Broadcasters."

59

SECTION 3.

60 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 61 in subsection (a) of Code Section 50-18-72, relating to when public disclosure not required,
 62 by striking "or" at the end of paragraph (51), by replacing the period at the end of paragraph
 63 (52) with "; or" and by adding a new paragraph to read as follows:

64 "(53)(A) Audio or video recordings from devices used by any state or local government
 65 agency that include audio, video, or images of a deceased person, or otherwise show
 66 a person's death or show a person in distress immediately preceding his or her death;
 67 provided, however, that this subsection shall not prohibit disclosure of such material to

68 the deceased person's next of kin or to an individual who has secured a written release
69 from the deceased person's next of kin. It shall be the responsibility of the individual
70 claiming to be the deceased person's next of kin to show proof of his or her familial
71 relationship with the deceased person. For purposes of this paragraph, the deceased
72 person's next of kin shall be:

- 73 (i) If living, the spouse of the deceased person;
74 (ii) If there is no living spouse of the deceased person, an adult child of the deceased
75 person;
76 (iii) If there is no living spouse or adult child of the deceased person, a parent, a
77 sibling, or a legal guardian of the deceased person; or
78 (iv) A person with a similar familial or legal relationship as demonstrated to a court
79 of competent jurisdiction.

80 (B) Subject to the provisions of subparagraph (C) of this paragraph, in the case of
81 closed criminal investigations, a superior court may order the disclosure of audio or
82 video recordings provided in subparagraph (A) of this paragraph upon findings in
83 writing that disclosure is in the public interest and outweighs any privacy interest that
84 may be asserted by the deceased person's next of kin. In making such determination,
85 the court shall consider whether such disclosure is necessary for public evaluation of
86 governmental performance, the seriousness of the intrusion into the family's right to
87 privacy, and whether such disclosure is the least intrusive means available considering
88 the availability of similar information in other public records. In any such action, the
89 court shall review the recordings in question in camera with the custodian of crime
90 scene materials present, if any, and may condition any disclosure on such conditions
91 as the court may deem necessary to accommodate the interests of the parties.

92 (C) Prior to releasing any audio or video recordings provided in subparagraph (A) of
93 this paragraph, the custodian of such recordings shall give the deceased person's next
94 of kin at least two weeks' notice. No court shall order a disclosure pursuant to

95 subparagraph (B) of this paragraph which would disregard or shorten the duration of
96 such notice requirement.

97 (D) The provisions of this paragraph shall apply to all undisclosed material which is
98 in the custody of a state or local government agency on May 13, 2026, and to any such
99 material which comes into the custody of a state or local government agency after such
100 date.

101 (E) This paragraph shall not apply to disclosure of crime scene material to counsel
102 representing a convicted defendant in a habeas corpus action pursuant to Chapter 14 of
103 Title 9, on an extraordinary motion for new trial under Code Section 5-5-40 or 5-5-41,
104 or in a federal habeas corpus action under Section 2254 or 2255 of Title 28 of the
105 United States Code for the purpose of preparing to file or litigating such proceedings.
106 Counsel may disclose such materials to his or her client and any expert or investigator
107 assisting such counsel but shall not otherwise disseminate such materials, except to the
108 extent they may be necessary exhibits in court proceedings. A request pursuant to this
109 paragraph shall clearly state that such request is being made for the purpose of
110 preparing to file and litigate proceedings enumerated in this subparagraph.

111 (F) This paragraph shall not apply to requests for audio, video, or images made by
112 bona fide credentialed members of the Georgia Press Association or the Georgia
113 Association of Broadcasters."

114 **SECTION 4.**

115 This Act shall become effective upon its approval by the Governor or upon its becoming law
116 without such approval, and shall apply to any request for a booking photograph or a law
117 enforcement video made on or after such date.

118 **SECTION 5.**

119 All laws and parts of laws in conflict with this Act are repealed.