

REFERENCE TITLE: law enforcement activity; recording prohibition

State of Arizona  
Senate  
Fifty-second Legislature  
Second Regular Session  
2016

# SB 1054

Introduced by  
Senator Kavanagh

AN ACT

AMENDING TITLE 13, CHAPTER 37, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3729; RELATING TO VIDEO RECORDING OF LAW ENFORCEMENT ACTIVITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 37, Arizona Revised Statutes, is amended  
3 by adding section 13-3729, to read:

4 13-3729. Unlawful video recording of law enforcement activity:  
5 classification

6 A. IT IS UNLAWFUL FOR A PERSON TO KNOWINGLY MAKE A VIDEO RECORDING OF  
7 LAW ENFORCEMENT ACTIVITY, INCLUDING THE HANDLING OF AN EMOTIONALLY DISTURBED  
8 PERSON, IF THE PERSON MAKING THE VIDEO RECORDING DOES NOT HAVE THE PERMISSION  
9 OF A LAW ENFORCEMENT OFFICER AND IS WITHIN TWENTY FEET OF WHERE THE LAW  
10 ENFORCEMENT ACTIVITY IS OCCURRING. IF THE LAW ENFORCEMENT ACTIVITY IS  
11 OCCURRING IN AN ENCLOSED STRUCTURE THAT IS ON PRIVATE PROPERTY, A PERSON WHO  
12 IS AUTHORIZED TO BE ON THE PRIVATE PROPERTY MAY MAKE A VIDEO RECORDING OF THE  
13 ACTIVITY FROM AN ADJACENT ROOM OR AREA THAT IS LESS THAN TWENTY FEET AWAY  
14 FROM WHERE THE ACTIVITY IS OCCURRING, UNLESS A LAW ENFORCEMENT OFFICER  
15 DETERMINES THAT THE PERSON IS INTERFERING IN THE LAW ENFORCEMENT ACTIVITY OR  
16 THAT IT IS NOT SAFE TO BE IN THE AREA AND ORDERS THE PERSON TO STOP RECORDING  
17 OR TO LEAVE THE AREA.

18 B. THIS SECTION DOES NOT ESTABLISH A RIGHT OR AUTHORIZE ANY PERSON TO  
19 MAKE A VIDEO RECORDING OF LAW ENFORCEMENT ACTIVITY.

20 C. A VIOLATION OF THIS SECTION IS A PETTY OFFENSE, EXCEPT THAT IF THE  
21 PERSON FAILS TO COMPLY WITH A VERBAL WARNING OF A VIOLATION OF THIS SECTION  
22 OR HAS PREVIOUSLY BEEN CONVICTED OF A VIOLATION OF THIS SECTION, IT IS A  
23 CLASS 3 MISDEMEANOR.