

By: Stickland

H.B. No. 3165

A BILL TO BE ENTITLED

AN ACT

relating to local government photographic monitoring systems.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 341, Local Government Code, is amended by adding Section 341.906 to read as follows:

Sec. 341.906. NOTIFICATION OF PHOTOGRAPHIC MONITORING SYSTEM. (a) In this section:

(1) "Photographic monitoring system" means a system that:

(A) consists of a camera or cameras installed in an outdoor public area; and

(B) is active and capable of producing one or more recorded images.

(2) "Recorded image" means an image that is recorded on a photograph or digital image.

(b) This section applies only to a municipality that employs an active photographic monitoring system.

(c)(1) A municipality shall install signs adjacent to or within 10 feet of each camera which is a part of a photographic monitoring system. The signs must be easily readable and clearly indicate the presence of a photographic monitoring system.

(2) The sign shall contain the words:

"Warning: You are under Surveillance by the City of [name of municipality]."

1 (d) A municipality that fails to comply with Subsection (c)
2 may not use any images captured by a photographic monitoring system
3 in the investigation or prosecution of any individual.

4 (e) Any recorded image captured by a municipal camera which
5 fails to comply with Subsection (c) of this section shall not be
6 used in any investigation or prosecution by any political
7 subdivision.

8 (f) A live video feed composed of the same images captured
9 by a camera which is a part of a photographic monitoring system must
10 be published and otherwise made available in real time on the
11 internet and must be made accessible through the municipality's
12 website.

13 SECTION 2. This Act takes effect January 1, 2014.