

Bill Summary
2nd Session of the 59th Legislature

Bill No.:	HB 1563
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Bill Analysis

HB 1563 provides that a subpoena issued on behalf of a defendant to a law enforcement agency, business, or commercial entity shall be subject to certain provisions. Such subpoena may compel a law enforcement agency to produce body camera videos, vehicle-mounted camera videos, traffic camera videos, law enforcement incident reports, and a recording of the administration of a sobriety test. Commercial entities may be compelled to turn over the production of a recording in the possession of the business or commercial entity, which covers a reasonable period of time before, during, or after the commission of the criminal act alleged in a complaint, indictment, or information. Subpoenas compelling the production of the individual record of a person may be assessed as prescribed by state law. The measure establishes a maximum record copying fee of \$0.25 per page and a maximum amount of \$1.00 per copied page for a certified copy. The measure establishes a maximum \$25.00 fee for recordings.

Subpoenaed law enforcement agencies may notify the defendant that the production of requested records may violate certain state laws outlined in the measure. Upon receipt of this notice, the defendant shall inform the law enforcement agency of the desire to receive the subpoenaed records with redactions and notify the law enforcement agency and the prosecuting agency of the application made to the court of competent jurisdiction for the release of the unredacted or unobscured records and the date and time of hearing on the application. The measure requires the issuing party to take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The measure provides for a motion to be made by the subject of the subpoena to quash the subpoena if it fails to provide such reasonable steps.

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