

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB26-1123 be amended as follows:

1 Amend printed bill, page 5, line 10, strike "**authorized.**" and substitute  
2 "**authorized - definitions.**".

3 Page 5, strike lines 11 through 23 and substitute:

4 "(1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
5 REQUIRES:

6 (a) "LOCAL DETENTION FACILITY" MEANS A COUNTY JAIL OR A  
7 FACILITY OPERATED BY A CITY OR TOWN FOR THE PURPOSE OF CONFINING  
8 PERSONS CHARGED WITH OR CONVICTED OF VIOLATIONS OF MUNICIPAL  
9 ORDINANCES.

10 (b) "STRIP SEARCH" MEANS HAVING AN ARRESTED PERSON REMOVE  
11 OR ARRANGE SOME OR ALL OF THE PERSON'S CLOTHING SO AS TO PERMIT  
12 A VISUAL INSPECTION OF THE GENITALS, BUTTOCKS, ANUS, OR FEMALE  
13 BREASTS OF THE PERSON.

14 (2) A PEACE OFFICER MAY ONLY VIEW A VIDEO RECORDING OF A  
15 STRIP SEARCH CONDUCTED IN A LOCAL DETENTION FACILITY FOR A  
16 LEGITIMATE LAW ENFORCEMENT PURPOSE. A PEACE OFFICER WHO VIEWS  
17 A VIDEO RECORDING OF A STRIP SEARCH CONDUCTED IN A LOCAL  
18 DETENTION FACILITY SHALL DOCUMENT IN A REPORT THE PEACE OFFICER'S  
19 PURPOSE FOR VIEWING THE VIDEO RECORDING OF A STRIP SEARCH  
20 CONDUCTED IN A LOCAL DETENTION FACILITY.

21 (3) VIDEO RECORDINGS OF STRIP SEARCHES CONDUCTED IN A  
22 LOCAL DETENTION FACILITY:

23 (a) MUST NOT BE UPLOADED TO A CLOUD-BASED ELECTRONIC  
24 SERVICE; AND

25 (b) MUST NOT BE VIEWED REMOTELY.

26 (4) THIS SECTION IS NOT APPLICABLE TO DISCOVERY OF VIDEO  
27 RECORDINGS OR THE USE OF VIDEO RECORDINGS BY PARTIES IN A CIVIL,  
28 CRIMINAL, OR ADMINISTRATIVE COURT CASE, OR AN INTERNAL  
29 INVESTIGATION OR IN RESPONSE TO REQUESTS MADE PURSUANT TO  
30 SECTION 24-72-303."

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