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**SENATE BILL NO. 957**

Offered January 11, 2017

Prefiled January 2, 2017

*A BILL to amend the Code of Virginia by adding a section numbered 18.2-460.2, relating to recordings; destruction or seizure by law-enforcement officer.*

Patrons—Locke, Lucas and McClellan; Delegates: Carr and Tyler

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 18.2-460.2 as follows:**

**§ 18.2-460.2. Unlawful seizure, damage, or destruction of recording or recording device by law-enforcement officer; penalty.**

*A. No law-enforcement officer shall interfere with, damage, destroy, or seize a recording or recording device created by or in the possession of another person, provided that such recording or recording device is lawful and does not interfere with the performance of a law-enforcement officer's duties. A violation of this section is a Class 1 misdemeanor.*

*B. Nothing herein shall prohibit a law-enforcement officer from seizing or altering a recording or recording device (i) with permission of the person who possesses the recording or recording device, (ii) when such officer reasonably believes that seizure is necessary to prevent the destruction of evidence, (iii) pursuant to a lawful court order, or (iv) in accordance with state or federal law.*

INTRODUCED

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