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SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999

ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 2985

(By Delegates Fleischauer, Staton, Doyle and Linch)

Passed March 13, 1999

In Effect Ninety Days from Passage

HB 2985

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99 APR -6 11:03

OFFICE OF THE CLERK
LEGISLATIVE STAFF

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COMMITTEE SUBSTITUTE

FOR

H. B. 2985

(BY DELEGATES FLEISCHAUER, STATON, DOYLE AND LINCH)

[Passed March 13, 1999; in effect ninety days from passage.]

AN ACT to amend article three, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty, relating to limiting the use of electronic surveillance devices by employers; and providing criminal penalties.

Be it enacted by the Legislature of West Virginia:

That article three, chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty, to read as follows:

ARTICLE 3. SAFETY AND WELFARE OF EMPLOYEES.

§21-3-20. Use of video and other electronic surveillance devices by employers prohibited.

- 1 (a) It is unlawful for any employer or the agent or represen-
- 2 tative of an employer, whether public or private, to operate any
- 3 electronic surveillance device or system, including, but not

4 limited to, the use of a closed circuit television system, a video-
5 recording device, or any combination of those or other elec-
6 tronic devices for the purpose of recording or monitoring the
7 activities of the employees in areas designed for the health or
8 personal comfort of the employees or for safeguarding of their
9 possessions, such as rest rooms, shower rooms, locker rooms,
10 dressing rooms and employee lounges.

11 (b) Any employer or agent thereof who violates any
12 provision of this section is guilty of a misdemeanor and, if
13 convicted, shall be fined five hundred dollars for the first
14 offense. An employer or agent thereof convicted a second time
15 under this provision shall be fined one thousand dollars. For the
16 third and any subsequent offense, the penalty shall be two
17 thousand dollars.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



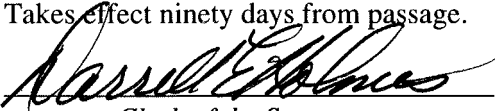
Chairman Senate Committee



Chairman House Committee

Originating in the House.


Takes effect ninety days from passage.



Clerk of the Senate



Clerk of the House of Delegates

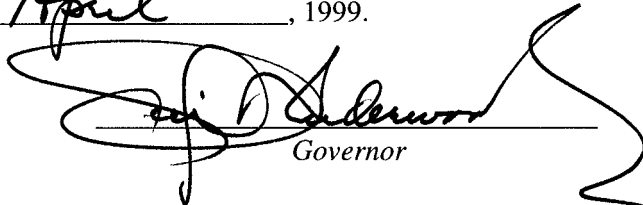


President of the Senate



Speaker of the House of Delegates

The within approved this the 2nd
day of April, 1999.



Governor

PRESENTED TO THE

GOVERNOR

Date 4/1/99

Time 2:52 pm