

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Enrolled
Committee Substitute
for
Senate Bill 84

BY SENATORS THORNE, ROSE, RUCKER, AND HART

[Passed March 6, 2026; in effect 90 days from
passage (June 4, 2026)]

FILED

2026 MAR 14 P 5:27

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SB84

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1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §62-1A-12, relating to prohibitions on surveillance cameras used by law
3 enforcement; prohibiting installation of a surveillance camera on private land for purposes
4 of gathering information or evidence of a crime; creating exceptions for consent or a valid
5 search warrant; creating inapplicability to cameras placed in other areas where a law-
6 enforcement officer has a right to be; creating inapplicability in certain exigent
7 circumstances; and creating definitions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1A. SEARCH AND SEIZURE.

§62-1A-12. Prohibitions on surveillance cameras on private property.

1 (a) Notwithstanding any provision of this code to the contrary, a law-enforcement officer
2 may not install any surveillance camera on private land for purposes of gathering information or
3 evidence of criminal activity of the owner or occupant of the private land without first obtaining
4 either consent of an owner of the private land or a valid search warrant.

5 (b) The provisions of subsection (a) of this section do not prohibit a law-enforcement officer
6 from:

7 (1) Installing a surveillance camera in any area not specified in subsection (a) of this
8 section where the law-enforcement officer has a lawful right to be and facing a location on any
9 private land that is open to public view; or

10 (2) Installing a surveillance camera on private property where exigent circumstances exist
11 and there is insufficient time to obtain a valid search warrant.

12 (c) For purposes of this section:

13 "Law-enforcement officer" has the same meaning as that term is defined in §30-29-1 of
14 this code.

15 "Private land" means posted land, cultivated land, or fenced land, as those terms are
16 defined in §61-3B-1 of this code, that is owned by an individual or entity other than a federal,
17 state, or local government or a political subdivision thereof.

18 "Property owner" means an individual or entity, other than a governmental entity, who
19 owns, leases, licenses, or possesses real property or an employee or agent of that individual or
20 entity.

21 "Surveillance camera" means a device installed on private land that permits observing,
22 photographing, videotaping, recording, or transmitting visual images of private land or a person's
23 activities on private land and includes, but is not limited to, a game camera: *Provided*, That a law-
24 enforcement officer's vehicle dash camera or body camera shall not be considered a surveillance
25 camera.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

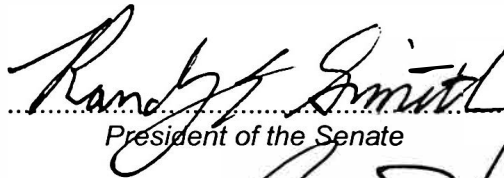

Clerk of the Senate


Clerk of the House of Delegates

Originated in the Senate.

In effect 90 days from passage.

FILED
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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE


President of the Senate


Speaker of the House of Delegates

The within is approved this the 14th
Day of March, 2026.


Governor

PRESENTED TO THE GOVERNOR

MAR 09 2025

Time 1:11 pm