WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5571

By Delegate Coop-Gonzalez

[Introduced February 12, 2024; Referred to the Committee on the Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §62-1A-12, relating to requiring a warrant to access video surveillance in private business or other facilities.

Be it enacted by the Legislature of West Virginia:

ARTICLE 1A. Search and seizure.

§62-1A-12. Warrant required for accessing video surveillance.

Notwithstanding any other provision of law, a law-enforcement agency may not obtain, access to a video surveillance, regardless of the purpose, without a warrant, which:

(1) Is funded by a federal entity; or

(2) Has facial recognition capabilities; or

(3) Has an individual's location and stores that data.

NOTE: The purpose of this bill is to require a warrant to access video surveillance in private business or other facilities.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.