

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 838

By Senator Thorne

[Introduced March 20, 2025; referred
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §61-1A-12, relating to prohibiting law-enforcement officers from placing a
3 surveillance camera or game camera on certain private land; providing an exception; and
4 defining "private land".

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, no law-enforcement officer
2 may place any surveillance camera or game camera on private land without first obtaining consent
3 from the owner, lessee, or other person entitled to possession of the private land or a valid search
4 warrant: *Provided*, That nothing in this subsection may prohibit a law-enforcement officer from
5 placing a camera in an area where the law-enforcement officer has a lawful right to be and facing a
6 location on any land that is open to public view without first obtaining consent or a search warrant.
7 (b) For purposes of this section, "private land" means posted land, cultivated land, or
8 fenced land, as those terms are defined in §61-3B-1 of this code.

NOTE: The purpose of this bill is to prohibit law enforcement officers from placing a surveillance camera or game camera on certain private land; providing an exception; and defining "private land".

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