

# **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)]



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.

.....  
*President of the Senate*

.....  
*Speaker of the House of Delegates*

\_\_\_\_\_

The within is ..... this the.....  
Day of ....., 2026.

.....  
*Governor*