

**First Regular Session
Seventy-Seventh General Assembly
STATE OF SAN ANDREAS**

ENGROSSED

LLS NO. 26-0736.02 Gabby Pizzola x2917

HOUSE BILL 26-031

SENATE SPONSORSHIP

Garcia, Valdez

HOUSE SPONSORSHIP

Jenkins, Spencer

House Committees

Public Safety & Homeland Security

Senate Committees

Not assigned

A BILL FOR AN ACT

**CONCERNING REQUIREMENTS THAT LAW ENFORCEMENT OBTAIN A SEARCH
WARRANT PRIOR TO REVIEWING OR ACCESSING SURVEILLANCE CAMERA
RECORDINGS, INCLUDING TRAFFIC CAMERAS, EXCEPT IN LIMITED EMERGENCY
CIRCUMSTANCES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <https://saleg.uscgov.com>)

This bill requires law enforcement agencies to obtain a search warrant before accessing or reviewing surveillance footage, including recordings from traffic cameras, security cameras, and automated license plate reader systems. The warrant must be supported by

Shading denotes HOUSE amendment. Underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

probable cause and must clearly define the location of the camera, the time period of the footage requested, and the specific offense under investigation. The bill is intended to protect individuals' privacy rights by ensuring that access to surveillance data is subject to judicial oversight and limited in scope.

The bill provides a narrow exception for emergency situations in which there is an immediate threat to life, serious bodily harm, or risk of evidence destruction, allowing law enforcement to access footage without a warrant. In such cases, agencies must seek judicial approval within forty-eight hours or risk the evidence being ruled inadmissible. The measure also prohibits broad or generalized searches of surveillance systems without individualized suspicion and establishes that any evidence obtained in violation of these requirements may not be used in court.

1 *Be it enacted by the General Assembly of the State of San*
2 *Andreas:*
3 **SECTION 1. SHORT TITLE.** This act shall be known and may
4 be cited as the "Surveillance Privacy Protection Act." **SECTION**
5 **2. LEGISLATIVE DECLARATION.** The general assembly
6 hereby finds and declares that: (a) Surveillance cameras, including
7 traffic cameras, security cameras, and other automated monitoring
8 systems, have become increasingly common throughout public
9 and private spaces. (b) While such systems can serve legitimate
10 public safety and traffic management purposes, unrestricted
11 government access to surveillance footage raises significant
12 concerns regarding individual privacy and civil liberties. (c)
13 Modern surveillance systems are capable of collecting detailed
14 information about an individual's movements, associations, and
15 daily activities. (d) The constitution of the State of San Andreas
16 guarantees the right of the people to be secure in their persons,
17 houses, papers, and effects against unreasonable searches and
18 seizures and recognizes a strong right to privacy. (e) The general
19 assembly therefore finds it necessary to ensure that law
20 enforcement agencies obtain a search warrant issued upon

1 probable cause, supported by oath or affirmation before accessing
2 surveillance footage that may reveal personal or identifying
3 information about individuals. (f) Establishing clear warrant
4 requirements for surveillance footage protects constitutional rights
5 while preserving the ability of law enforcement agencies to
6 investigate crimes through lawful judicial oversight. **SECTION 3.**
7 **DEFINITIONS.** As used in this act, unless the context otherwise
8 requires: (a) “Law enforcement agency” means any state, county,
9 municipal, or other governmental entity authorized to investigate
10 criminal activity or enforce the laws of this state, including any
11 task force or multi-jurisdictional unit operating within the state.
12 (b) “Surveillance camera” means any fixed or mobile camera
13 system used to capture video images for monitoring, security,
14 traffic enforcement, or investigative purposes, including but not
15 limited to traffic cameras, automated license plate reader cameras,
16 public safety cameras, privately owned cameras accessible by
17 government request, whether accessed directly or through a
18 third-party service provider, and body-worn cameras when used
19 for retrospective review rather than real-time monitoring. (c)
20 “Surveillance footage” means any video recording, still image, or
21 digital record, including associated metadata such as timestamps,
22 geolocation, or device identifiers captured by a surveillance
23 camera. (d) “Access” means reviewing, obtaining, copying,
24 downloading, or otherwise examining, including the use of
25 automated systems to analyze or process such surveillance
26 footage. (e) ‘Exigent circumstances’ means circumstances
27 requiring immediate action where obtaining a warrant would be
28 impracticable. **SECTION 4. WARRANT REQUIREMENT FOR**
29 **SURVEILLANCE FOOTAGE.** (a) A law enforcement agency
30 shall not access or obtain surveillance footage, directly or
31 indirectly, without first obtaining a search warrant issued by a
32 judge upon a showing of probable cause, or a court order of
33 equivalent constitutional sufficiency, except as otherwise

1 expressly provided in this act. (b) A warrant issued under this
2 section shall: (I) Particularly describe the location of the
3 surveillance camera or system, or the network to which such
4 camera belongs; (II) Specify the date and time range of footage to
5 be obtained, which shall be narrowly tailored and not exceed
6 seventy-two hours unless extended by the court for good cause
7 shown; (III) Identify the offense under investigation, including a
8 brief statement of facts establishing probable cause; (IV) Limit the
9 scope of the search to footage reasonably related to the
10 investigation; and (V) Include minimization procedures to limit
11 the collection and retention of information not relevant to the
12 investigation. (c) A warrant issued under this section shall expire
13 within ten days unless executed. (d) Any surveillance footage
14 obtained pursuant to this section shall be logged, including the
15 identity of the officer accessing the footage, the date and time of
16 access, and the purpose of the access. **SECTION 5.**

17 **EMERGENCY EXCEPTION.** (a) A law enforcement agency may
18 access surveillance footage without a warrant if the agency
19 reasonably believes that an emergency involving immediate
20 danger of death, kidnapping, serious bodily injury, or the
21 imminent destruction of evidence, or the need to prevent the
22 escape of a suspect requires immediate access. (b) When access
23 occurs under this section, the law enforcement agency shall apply
24 for a search warrant supported by a written affidavit detailing the
25 emergency circumstances within twenty-four hours after
26 accessing the footage. (c) If a court determines that the emergency
27 access was not justified, the footage obtained shall be
28 inadmissible in any criminal, civil, or administrative proceeding.
29 (d) A law enforcement agency invoking this section shall
30 document in writing the specific facts giving rise to the
31 emergency and retain such documentation for not less than three
32 years. (e) A court reviewing emergency access shall give priority
33 to such applications and rule without unnecessary delay.

1 **SECTION 6. LIMITATION ON GENERALIZED**
2 **SURVEILLANCE SEARCHES.** (a) Law enforcement agencies
3 shall not conduct generalized or bulk searches, including but not
4 limited to geofence searches or reverse-location tracking of
5 surveillance camera networks without individualized probable
6 cause supported by specific and articulable facts. (b) Warrants
7 authorizing surveillance footage searches must be limited in
8 scope, duration, and geographic area to prevent indiscriminate
9 review of large-scale surveillance networks. (c) The use of facial
10 recognition technology or automated analytics in conjunction with
11 surveillance footage shall require a warrant that specifically
12 authorizes such use. (d) The use of predictive analytics or
13 artificial intelligence to identify individuals from surveillance
14 footage shall require express judicial authorization. **SECTION 7.**
15 **EXCLUSIONS.** This act does not prohibit: (a) Law enforcement
16 agencies from reviewing surveillance footage captured by
17 cameras owned and operated by the agency itself in real time,
18 provided that such review does not involve the retrospective
19 identification of specific individuals without a warrant, for traffic
20 control, emergency response, or public safety monitoring,
21 provided that any retained footage is not subsequently accessed
22 for investigative purposes without a warrant; (b) Individuals or
23 private entities, including businesses and homeowners from
24 voluntarily providing on a case-by-case basis surveillance footage
25 to law enforcement, so long as such provision is not the result of
26 coercion or a standing agreement intended to circumvent the
27 warrant requirement; (c) The use of surveillance cameras for
28 traffic management or infrastructure monitoring where no
29 individualized review of identifiable persons occurs; (d) The use
30 of surveillance footage for training, auditing, or internal review
31 purposes, provided that such use does not involve identification of
32 individuals for investigative purposes without a warrant. (e)
33 Nothing in this section shall be construed to authorize continuous

1 or real-time remote access to privately owned surveillance
2 systems without a warrant. **SECTION 8. EXCLUSIONARY**
3 **RULE.** Evidence obtained in violation of this act shall be
4 suppressed upon motion by an aggrieved party in any court or
5 administrative proceeding, including any licensing, disciplinary,
6 or regulatory proceeding within the State of San Andreas. Such
7 suppression shall not preclude the use of evidence for
8 impeachment purposes where otherwise permitted by law.
9 **SECTION 9. REPORTING REQUIREMENTS.** (1) Each law
10 enforcement agency shall submit an annual report to the attorney
11 general detailing the number of warrants sought under this act, the
12 number granted or denied, and the number of times emergency
13 access was invoked. (2) Such reports shall be made publicly
14 available in aggregate form. **SECTION 10. DATA RETENTION**
15 **AND DELETION.** (a) Surveillance footage obtained pursuant to a
16 warrant shall not be retained longer than necessary to achieve the
17 purpose of the warrant and shall be deleted within ninety days
18 unless retained as evidence in a pending case. (b) Footage
19 obtained without a warrant under Section 5 shall be deleted within
20 thirty days unless a warrant is subsequently obtained. **SECTION**
21 **11. PRIVATE RIGHT OF ACTION.** (1) Any person aggrieved by
22 a violation of this act may bring a civil action for damages and
23 equitable relief. (2) A prevailing plaintiff may recover actual
24 damages, statutory damages of not less than \$1,000 per violation,
25 reasonable attorney fees, and court costs **SECTION 12.**
26 **EFFECTIVE DATE.** Act subject to petition – effective date. This
27 act takes effect on August 18, 2026, assuming the general
28 assembly adjourns sine die on May 18, 2026; except that, if a veto
29 petition is filed pursuant to Article II, Section 15 of the state
30 constitution against this act or an item, section, or part of this act
31 within such period, then the act, item, section, or part will not take
32 effect unless approved by the people at the general election to be
33 held in November 2026 and, in such case, will take effect on the

1 date of the official declaration of the vote thereon by the governor.