

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

INTRODUCED

LLS NO. 26-0736.01 Gabby Pizzola x2917

HOUSE BILL 26-031

SENATE SPONSORSHIP

Garcia, Valdez

HOUSE SPONSORSHIP

Jenkins, Spencer

House Committees

Not assigned

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 before accessing surveillance footage that may
2 reveal personal or identifying information about individuals. (f)
3 Establishing clear warrant requirements for surveillance footage
4 protects constitutional rights while preserving the ability of law
5 enforcement agencies to investigate crimes through lawful judicial
6 oversight. **SECTION 3. DEFINITIONS.** As used in this act,
7 unless the context otherwise requires: (a) “Law enforcement
8 agency” means any state, county, municipal, or other
9 governmental entity authorized to investigate criminal activity or
10 enforce the laws of this state. (b) “Surveillance camera” means
11 any fixed or mobile camera system used to capture video images
12 for monitoring, security, traffic enforcement, or investigative
13 purposes, including but not limited to traffic cameras, automated
14 license plate reader cameras, public safety cameras, and privately
15 owned cameras accessible by government request. (c)
16 “Surveillance footage” means any video recording, still image, or
17 digital record captured by a surveillance camera. (d) “Access”
18 means reviewing, obtaining, copying, downloading, or otherwise
19 examining surveillance footage. **SECTION 4. WARRANT**
20 **REQUIREMENT FOR SURVEILLANCE FOOTAGE.** (a) Except
21 as provided in subsection (3) of this section, a law enforcement
22 agency shall not access or obtain surveillance footage without first
23 obtaining a search warrant issued by a judge upon a showing of
24 probable cause. (b) A warrant issued under this section shall: (I)
25 Particularly describe the location of the surveillance camera or
26 system; (II) Specify the date and time range of footage to be
27 obtained; (III) Identify the offense under investigation; and (IV)
28 Limit the scope of the search to footage reasonably related to the
29 investigation. **SECTION 5. EMERGENCY EXCEPTION.** (a) A
30 law enforcement agency may access surveillance footage without
31 a warrant if the agency reasonably believes that an emergency
32 involving immediate danger of death, serious bodily injury, or the
33 imminent destruction of evidence requires immediate access. (b)

1 When access occurs under this section, the law enforcement
2 agency shall apply for a search warrant within forty-eight hours
3 after accessing the footage. (c) If a court determines that the
4 emergency access was not justified, the footage obtained shall be
5 inadmissible in any criminal, civil, or administrative proceeding.

6 **SECTION 6. LIMITATION ON GENERALIZED**
7 **SURVEILLANCE SEARCHES.** (a) Law enforcement agencies
8 shall not conduct generalized or bulk searches of surveillance
9 camera networks without individualized probable cause. (b)
10 Warrants authorizing surveillance footage searches must be
11 limited in scope to prevent indiscriminate review of large-scale
12 surveillance networks. **SECTION 7. EXCLUSIONS.** This act
13 does not prohibit: (a) Law enforcement agencies from reviewing
14 surveillance footage captured by cameras owned and operated by
15 the agency itself in real time for traffic control, emergency
16 response, or public safety monitoring; (b) Individuals or private
17 entities from voluntarily providing surveillance footage to law
18 enforcement; (c) The use of surveillance cameras for traffic
19 management or infrastructure monitoring where no individualized
20 review of identifiable persons occurs. **SECTION 8.**
21 **EXCLUSIONARY RULE.** Evidence obtained in violation of this
22 act shall be inadmissible in any court or administrative proceeding
23 within the State of San Andreas. **SECTION 9. EFFECTIVE**
24 **DATE.** This Act shall take effect after the 90 day period following
25 the final adjournment of the Seventy-Seventh general assembly.