

HCS HB 1166 -- ACCESS TO PRIVATE PROPERTY

SPONSOR: Van Schoiack

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Conservation and Natural Resources by a vote of 17 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HB 1166.

This bill prohibits any employee of a state agency or political subdivision of the state from placing a surveillance camera or game camera on private property without the consent of the landowner or landowner's designee, a search warrant, or permission from the highest ranking law enforcement chief or officer of the agency. If placed with the permission of the highest ranking officer, the camera must be facing a location that is open to public access or use and the camera is within 100 feet of the intended surveillance location.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that in order to enter private property, law enforcement officers should be required to have probable cause or a search warrant. In other states, wildlife agency staff have placed cameras on private property without the knowledge of the landowner. Law enforcement officials, including game wardens, should need a search warrant to place cameras.

Testifying for the bill were Representative Van Schoiack; Missouri Farm Bureau; and Missouri Corn Growers Association.

Additional written testimony was submitted in support of the bill.

OPPOSERS: Those who oppose the bill say that law enforcement officers are not entering private property without reason to believe there is a violation of the law. This bill would inhibit law enforcement's ability to investigate crimes.

Testifying against the bill was Tim Rippergen.

Additional written testimony was submitted in opposition of the bill.

OTHERS: Others testifying on the bill say most violations of the Missouri Wildlife Code are misdemeanors and this bill would prohibit Conservation Agents from performing routine checks of permits and other code enforcement. These checks protect the wildlife resources of the state. This bill may also prohibit many utility companies from entering private property for maintenance and repairs.

Testifying on the bill were Randy Doman, Missouri Department Of Conservation; and Metropolitan St. Louis Sewer District.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.