



1 "Unmanned aircraft system" means a powered aerial vehicle  
2 that:

- 3 (1) Does not carry a human operator;
- 4 (2) Uses aerodynamic forces to provide vehicle lift;
- 5 (3) Can fly autonomously or be piloted remotely;
- 6 (4) Can be expendable or recoverable; and
- 7 (5) Can carry a lethal or nonlethal payload;

8 provided that the term shall not include model flying airplanes  
9 or rockets, including those that are radio controlled or  
10 otherwise remotely controlled and that are used purely for sport  
11 or recreational purposes.

12 "Law enforcement agency" means any county police  
13 department, the department of public safety, and any state or  
14 county public body that employs law enforcement officers.

15 § -2 Prohibited use of unmanned aircraft systems by law  
16 enforcement agency; exceptions. (a) No law enforcement agency  
17 shall use an unmanned aircraft system to gather evidence or  
18 other information pertaining to criminal conduct or conduct in  
19 violation of a statute, ordinance, or administrative rule  
20 without a search warrant authorizing use of the unmanned  
21 aircraft system.



1 (b) A law enforcement agency may use an unmanned aircraft  
2 system to conduct surveillance or observation without a search  
3 warrant if the law enforcement agency determines that the use of  
4 an unmanned aircraft system is necessary to:

5 (1) Prevent imminent danger to life or serious damage to  
6 property;

7 (2) Prevent the imminent escape of a suspect or  
8 destruction of evidence;

9 (3) Facilitate the search for or rescue of a missing  
10 person; or

11 (4) Conduct training exercises for any of the purposes in  
12 paragraphs (1) to (4).

13 (c) No information obtained or collected in violation of  
14 this section shall be admissible as evidence in a criminal  
15 prosecution in any court of law of this State.

16 (d) In no case may a weaponized unmanned aircraft system  
17 be deployed or its use facilitated by a law enforcement agency  
18 in the State.

19 § -3 Prohibited use of unmanned aircraft systems by  
20 private entities; civil action. (a) No private entity shall  
21 use an unmanned aircraft system to:



- 1           (1) Conduct surveillance or observation of:
- 2                   (A) An individual or a dwelling owned by an
- 3                           individual without the individual's written
- 4                           consent; or
- 5                   (B) A farm, dairy, ranch, or other agricultural
- 6                           industry facility without the written consent of
- 7                           the owner; or
- 8           (2) Photograph an individual, without the individual's
- 9                   written consent, for the purpose of publishing or
- 10                   otherwise publicly distributing the photograph.
- 11           (b) Nothing in this section shall be construed to prohibit
- 12 the use of an unmanned aircraft system for the purpose of taking
- 13 photographs of gatherings of the public on public or private
- 14 lands.
- 15           (c) Any person who is the subject of surveillance or
- 16 observation or who is photographed in violation of this section
- 17 shall have a civil cause of action against the law enforcement
- 18 agency or private entity that conducted the surveillance or
- 19 observation or that used an unmanned aircraft system to
- 20 photograph the person for the purposes of publishing or
- 21 otherwise publicly distributing the photograph."



# H.B. NO. 1805

1 SECTION 3. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Season on

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# H.B. NO. 1805

**Report Title:**

Unmanned Aircraft Systems; Restrictions on Use

**Description:**

Prohibits the use of unmanned aircraft systems by law enforcement to gather evidence. Restricts the uses of unmanned aircraft systems by private entities.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

