HOUSE BILL NO. HB0018

Drone Protection Act.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

AN ACT relating to drones; specifying requirements for use of drones by law enforcement agencies; limiting use of information obtained with a drone by governmental entities; requiring reports; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 7-3-1001 through 7-3-1006 are created to read:

ARTICLE 10

DRONES

7-3-1001. Short title.
This article shall be known and may be cited as the "Drone Protection Act".

7-3-1002. Definitions.

(a) As used in this article:

(i) "Law enforcement agency" means a lawfully established state or local governmental entity that is responsible for:

(A) The prevention and detection of crime and the enforcement of criminal or traffic laws; or

(B) Enforcing regulatory laws relating to land, water or public health and safety.

(ii) "Drone" means any powered aerial vehicle that does not carry a human operator, can fly autonomously or remotely and can be expendable or recoverable;

(iii) "Governmental entity" means as defined by W.S. 1-39-103(a).
7-3-1003. Use of drones by law enforcement agencies.

(a) A law enforcement agency shall not use a drone or acquire or disclose information obtained or derived through the use of a drone unless the law enforcement agency:

(i) Obtains a warrant authorizing the use of a drone. Warrants authorizing the use of a drone shall specify the period and geographical location for which use of the drone is authorized. The authorization period shall not exceed thirty (30) days, but may be extended for good cause;

(ii) Has probable cause to believe a person is committing a felony or is about to commit a felony and determines that:

(A) Exigent circumstances make it unreasonable for the agency to obtain a warrant authorizing use of the drone; and
(B) Use of a drone is likely to assist in the prevention of the felony.

(iii) Determines there is an imminent threat to the life or safety of a person;

(iv) Uses a drone for search and rescue operations;

(v) Uses a drone during a state of emergency to preserve public safety, protect property or assess damage;

(vi) Uses a drone for crime scene or accident reconstruction or assessment;

(vii) Uses a drone for training purposes; or

(viii) Uses a drone for data collection or monitoring that shall not be used for enforcement actions.

7-3-1004. Use of information collected by drones.
No information acquired or derived through the use of a drone by a governmental entity shall be admissible in any judicial or administrative proceeding unless the governmental entity collected the information in a manner permitted by a law enforcement agency under W.S. 7-3-1003.

7-3-1005. Reports on use of drones.

(a) Unless subject to the reporting requirements of subsection (b) of this section, a governmental entity that uses a drone shall immediately document the factual basis for using the drone and shall report to the attorney general no later than August 1 of each year:

(i) The number of times the agency used a drone during the preceding year;

(ii) The factual basis showing the need for each use;

(iii) The cost of using the drone; and
(iv) The type of data collected, including whether data was collected about individuals, residences, businesses and property.

(b) The use of drones by a governmental entity for bona fide research, and not in any manner for purposes of law enforcement or enforcement of regulatory laws, shall be subject to the following reporting provisions:

(i) The governmental entity shall report to the attorney general no later than August 1 of each year. The report shall include:

(A) A description of each research project in which drones were used, including sources of public funding for the project and the purpose of the research;

(B) A description of how the drones were used, including whether data was collected about individuals or residences, businesses or private property. A project shall not be subject to the reporting requirements of this subsection if the project collected data only relating to residences, businesses or property.
owned by the person funding the project in whole or in part.

(ii) Reporting under this subsection shall not disclose data or other information which is a trade secret, privileged information or confidential data.

(c) No later than October 1 of each year, the attorney general shall report the information received under subsections (a) and (b) of this section to the joint judiciary interim committee.

(d) This section is repealed effective July 1, 2021.

7-3-1006. Sunset.

This article is repealed effective July 1, 2021.

Section 2. This act is effective June 30, 2015.