

HOUSE BILL NO. HB0018

Drone Protection Act.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

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

5

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

7

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

10

11 ARTICLE 10

12 DRONES

13

14 **7-3-1001. Short title.**

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1 This article shall be known and may be cited as the "Drone
2 Protection Act".

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4 **7-3-1002. Definitions.**

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6 (a) As used in this article:

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

11

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

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

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

21

22 (iii) "Governmental entity" means as defined by
23 W.S. 1-39-103(a).

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2 **7-3-1003. Use of drones by law enforcement agencies.**

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

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

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

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19 (A) Exigent circumstances make it
20 unreasonable for the agency to obtain a warrant authorizing
21 use of the drone; and

22

1 (B) Use of a drone is likely to assist in
2 the prevention of the felony.

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4 (iii) The agency determines there is an imminent
5 threat to the life or safety of a person;

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7 (iv) The agency uses a drone for search and
8 rescue operations;

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10 (v) The agency uses a drone during a state of
11 emergency to preserve public safety, protect property or
12 assess damage;

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14 (vi) The agency uses a drone for crime scene or
15 accident reconstruction or assessment of a specific crime
16 scene; or

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18 (vii) The agency uses a drone for training
19 purposes.

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21 **7-3-1004. Use of information collected by drones.**

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

6
7 (b) All information acquired or derived through the
8 use of a drone by a law enforcement agency in compliance
9 with W.S. 7-3-1003 shall be destroyed by the law
10 enforcement agency within ninety (90) days of acquiring the
11 information unless an agency supervisor determines:

12
13 (i) There is reasonable suspicion the
14 information contains evidence of criminal activity; or

15
16 (ii) The information is relevant to an ongoing
17 investigation or pending criminal trial.

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19 **7-3-1005. Reports on use of drones.**

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21 (a) A governmental entity that uses a drone shall
22 immediately document the factual basis for using the drone

1 and shall report to the attorney general no later than
2 August 1 of each year:

3
4 (i) The number of times the agency used a drone
5 during the preceding year;

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

9
10 (iii) The cost of using the drone; and

11
12 (iv) The type of data collected, including
13 whether data was collected about individuals, residences,
14 businesses and property.

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16 (b) No later than October 1 of each year, the
17 attorney general shall report the information received
18 under subsection (a) of this section to the joint judiciary
19 interim committee.

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21 **7-3-1006. Sunset.**

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23 This article is repealed effective July 1, 2021.

