

SENATE BILL No. 149

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-33-5-9.

Synopsis: Unmanned aerial vehicles. Allows the use of an unmanned aerial vehicle by a law enforcement officer or governmental entity without obtaining a search warrant if the law enforcement officer determines that the use of the unmanned aerial vehicle is required to obtain aerial photographs or video images of a motor vehicle accident site on a public street or public highway.

Effective: July 1, 2016.

Bassler

January 5, 2016, read first time and referred to Committee on Homeland Security & Transportation.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 149

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-33-5-9, AS ADDED BY P.L.170-2014,
2 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 9. (a) Except as provided in subsection (b), a law
4 enforcement officer must obtain a search warrant in order to use an
5 unmanned aerial vehicle.
6 (b) A law enforcement officer or governmental entity may use an
7 unmanned aerial vehicle without obtaining a search warrant if the law
8 enforcement officer determines that the use of the unmanned aerial
9 vehicle:
10 (1) is required due to:
11 (A) the existence of exigent circumstances necessitating a
12 warrantless search;
13 (B) the substantial likelihood of a terrorist attack;
14 (C) the need to conduct a search and rescue or recovery
15 operation;
16 (D) the need to conduct efforts:
17 (i) in response to; or



1 (ii) to mitigate;
2 the results of a natural disaster or any other disaster; or
3 (E) the need to perform a geographical, an environmental, or
4 any other survey for a purpose that is not a criminal justice
5 purpose; or
6 **(2) is required to obtain aerial photographs or video images**
7 **of a motor vehicle accident site on a public street or public**
8 **highway; or**
9 ~~(2)~~ **(3)** will be conducted with the consent of any affected property
10 owner.

