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## DIGEST

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HB 811 Original

2016 Regular Session

Armes

**Abstract:** Prohibits and provides criminal penalties for the use of unmanned aircraft in certain areas and for the purpose of conducting surveillance, gathering evidence or collecting information about, photographing, or electronically recording an individual or privately owned immovable property without consent.

Proposed law prohibits the use of unmanned aircraft as follows:

- (1) In the airspace, directly above privately owned immovable property, up to a height of 350 feet from the ground without the express or legal consent of the property owner.
- (2) To conduct surveillance of, gather evidence or collect information about, or photographically or electronically record an individual or privately owned immovable property without the express or legal consent of the individual or the property owner; or, if the privately owned immovable property is occupied by a person other than the property owner, without the express or legal consent of both the property owner and the person occupying or residing upon the property.

Whoever violates the provisions of proposed law shall be fined not more than \$500, imprisoned for not more than six months, or both.

Proposed law defines "unmanned aircraft" as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Proposed law provides that these provisions do not apply to any of the following:

- (1) A satellite orbiting the earth.
- (2) As part of an operation, exercise, or mission of any branch of the U.S. military or the U.S. Department of Homeland Security.
- (3) A law enforcement agency if either a warrant is issued authorizing the use of the unmanned aircraft or the law enforcement agency has probable cause to believe that a person has committed a crime, is committing a crime, or is about to commit a crime, and exigent circumstances exist that make it unreasonable for the law enforcement agency to obtain a warrant authorizing use of the unmanned aircraft.

(Adds R.S. 14:338)